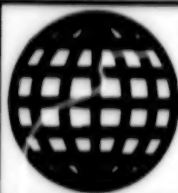


JPRS-UPA-90-032  
8 JUNE 1990



**FOREIGN  
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# ***JPRS Report***

# **Soviet Union**

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***Political Affairs***

# Soviet Union

## Political Affairs

JPRS-UPA-90-032

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8 June 1990

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### Constitutional-Monarchist Party Formed

90UN1473A Riga SOVETSKAYA MOLODEZH  
in Russian 15 Mar 90 p 2

[Interview with Sergey Volyevich Yurkov, chairman of the party organizing committee, conducted by Tatyana Mass, under the rubric "Panorama of Facts and Opinions": "God, Save the Tsar"?]

[Text] Some friends sent me a postcard, on which the greeting was printed in Slavonic ligature:

"Orthodox believers of Russia! Esteemed ladies and gentlemen!..".

And further an invitation from the organizing committee to participate in the work to prepare for the constituent congress of the Orthodox Constitutional-Monarchist Party of Russia.

Thank God, the time of humorless political journalistic satire has passed and I was able to calmly and seriously listen to Sergey Volyevich Yurkov, the chairman of the organizing committee, who immediately emphasized that:

[Yurkov] We have only been in existence for a short time as a party, but as an organization—since 1924. We have documents corroborating this period. But we will make all archives public only after the restoration of the monarchy in Russia. I envision Russia as the present borders of the Soviet Union.

[Mass] Do you actually think that there is a real possibility of restoring the monarchy?

[Yurkov] Today, this will permit us to avoid a civil war. Russia always followed its own unique path. She is historically and territorially different from every other country in the world. Berdyaev wrote that the Russians are a very womanlike nation and because of their emotionalism and openness they were coerced by the Western notion of communism. The Russians were not the only ones coerced by this idea. The republics' present aspiration for secession is also a withdrawal from communist ideology. We are able to offer our own solution to all national conflicts. As you recall, prior to the revolution, Finland was part of the Russian Empire with the rights of a union and with its own state system, borders, laws, and finally money. And we can offer this same model to the republics.

[Mass] But will the republics want this?

[Yurkov] We are prepared for dialogue and to discuss all questions.

[Mass] How do you intend to restore the monarchy?

[Yurkov] By peaceful means, of course. While repudiating the parliament for the sake of Russia, we are prepared through a victory in parliament to go to the Zemskiy Sobor, which will have to solve the question concerning the throne.

[Mass] If it is not a secret, what is the composition of your party?

[Yurkov] A cross section of society—from workers to members of the intelligentsia. Presently, we have weak links only with the peasants. We have branches in 60 of the country's cities.

[Mass] Are there any in the Baltic republics?

[Yurkov] There are. Incidentally, the Baltic monarchists are the most organized.

[Mass] Do you maintain contact with emigres?

[Yurkov] Of course. I do not know whether you are aware that there are 20 direct descendants of the sovereign abroad. The Grand Duke Vladimir Kirillovich, for instance.

[Mass] Whom do you consider to be the most suitable candidate for the throne?

[Yurkov] It is amusing that you said—candidate for the throne. This is not an election in the Supreme Soviet. The Zemskiy Sobor will decide this.

[Mass] Do you have conflicts with the authorities?

[Yurkov] Not open conflicts.

[Mass] At what stage is the preparation for the constituent congress and when and where will it be held?

[Yurkov] Very energetic preparations are under way. We have scheduled the Congress for 19 May—the birthday of Nikolay II, the last tsar. It will be held in Moscow, on an entirely legal basis.

[Mass] Thank you for the interview.

### 'SOYUZ' Roundtable on Problems of Federation

90UN1525A Moscow SOYUZ in Russian No 12,  
19 Mar 90 pp 6-7

[Roundtable of "Unions" conducted by Lev Alcyunik: "What the Parliamentary 'Union' Is Striving For: Roundtable of Leaders of the Deputy Group in Our Weekly".]

[Text] The new "Union" deputy group that was born at the beginning of the third session of the USSR Supreme Soviet made its presence persistently known at the special 3rd Congress of USSR People's Deputies. During the heated days of that congress's work, the composition of the group practically doubled, being augmented by people's deputies from many republics and areas around the country. The number of people in the new informal association of USSR people's deputies has already surpassed 300 and promises to increase tangibly in the future.

Immediately after the Congress, our special correspondent met the leaders of the council and presidium of the "Union" deputy group. We are publishing below an abridged stenographic record of the roundtable meeting.



The discussion participants included: Yu. V. Blokhin, deputy chairman, USSR Supreme Soviet's Committee on Questions of Economic Reform (Moldavia); V. M. Vologzhin, chairman, USSR Supreme Soviet's Committee on Questions of Economic Reform (Ukraine); Ye. V. Kogan, USSR people's deputy (Estonia); G. A. Komarov, chairman, Subcommittee on the Ecology of Man and Inhabited Places, USSR Supreme Soviet's Committee on Questions of the Ecology and the Efficient Use of Natural Resources (Kirghizia); A. N. Krutov, USSR people's deputy (Moscow); A. M. Kryshkin, USSR people's deputy (Kazakhstan); G. I. Tikhonov, member, USSR Supreme Soviet's Committee on Questions of Economic Reform (Tajikistan); N. S. Feskov, member, Financial Planning and Budgetary Commission, Council of the Union (Belorussia); S. G. Shuvalov, deputy chairman, Council of the Nationalities Commission on Questions of the Development of Culture, Language, National and Interethnic Traditions, and the Protection of the Historical Heritage (RSFSR).

#### What Ideas Are We Defending?

[Yu. V. Blokhin] The moods of our voters are becoming increasingly concerned as a result of the ethnic intolerance that has manifested itself in a number of places that are known to everyone. The reciprocal insults and derogatory terms "migrants," "nationals," and "occupying forces" are bandied about left and right. We must not allow this to continue: everyone knows too well where nationalism has taken people. And for an unrelenting struggle against it, we must use the right to speak at congresses and sessions and in the press in the name of the "Union" deputy group. Our chief goal is to promote the unification of people on the basic principles expressed in the Human Rights Declaration. It might be better for me to quote certain principles in the "Union" platform. We are in favor of the unification in our ranks of the USSR people's deputies who recognize the principle of the federative state structure of the USSR and the country's unity. We censure separatism, while recognizing at the same time the need for expanding the sovereignty of the union and autonomous republics and of the autonomous oblasts and okrugs under conditions of the fundamental renewal of the federation. We recognize the priority of human rights, equal rights, and the free development of all the citizens of the USSR on its entire territory, irrespective of the citizen's nationality, language, religious affiliation, time of residence in the particular locality, or political convictions...

[Moderator] The principles are most attractive in the humane nature of their goals. Especially since, in recent years, we have been observing a growth of nationalistic tendencies and the drawing of a line of demarcation among people in a number of republics...

[G. A. Komarov] Making only a superemotional statement in the name of the "Union" DG [deputy group] on the "Lithuanian problem" does not make sense for the job at hand. It is necessary in a professional, parliamentary way to work thoroughly and make well-weighed,

constructive recommendations that have been laboriously thought out. And we do have such recommendations in our platform. In particular, we are in favor of creating the necessary conditions for the free development of all the nations in the USSR, irrespective of where they are living on the territory of a single independent state. We are in favor of accelerating the development and enactment of the very important economic and ecological laws of the USSR, the union and autonomous republics, and the autonomous oblasts and okrugs. As an ecologist, it is important for me to mention also the thesis of the supremacy of the ecological priorities over the economic ones when resolving all the national-economic tasks. There is certainly no need to remind anyone the extent to which this policy will ease the tension within the country and will humanize our society. It is worthwhile to work for this.

[Ye. V. Kogan] Please excuse me for interrupting, Georgiy Alekseyevich. All this is indeed so, but I would like to share my views concerning something that is painful to me. After the criticism of the position occupied by Mikk Titma, secretary for ideology, Estonian CP Central Committee (who, incidentally, is vice-president of the Soviet Sociological Association), who spoke out unambiguously in favor of the priority of people of the indigenous nationality in practically everything, the Estonian International Movement was forced to publish its newspaper outside the confines of the republic. And yet, under the conditions of Estonian democracy, the same POZITSIIYA newspaper of the Interregional Group is published in Estonia. I do not have anything against this, but why are we not allowed to do this? Now I would like to discuss what situation we have today. I would like to begin with my own family: my mother was born in Estonia. In her internal passport she identifies herself a Russian. But her ancestors were of many nationalities. For 200 years her family has been living on Estonian land—the first names and last names are of Yamburg [Kingisepp] and German residents. My father was born in Baku, but he is not an Azerbaijani. He is a Jew. My grandmother came from Kiev, and there is a great mixing of blood in her family. In addition to speaking Russian, my father spoke Azerbaijani. He was in the navy for his entire life. After the war he was sent to Estonia to clear the mines from the ports. I was born in the Far East. I have lived in Estonia since the age of 20, I am fluent in colloquial Estonian, half my relatives are Estonians, and the conversations at home are in several languages. And all of this close intermingling of nationalities—not only in my own family, but also in many others—is beginning to be torn apart today. The sharply posed "question of the priority of the indigenous nation" inevitably leads to the events in Sumgait, Baku, Ferguson...

[Moderator] Aren't you exaggerating somewhat, our esteemed Yevgeniy Vladimirovich?

[Ye. V. Kogan] Those are the facts. USSR People's Deputy V. I. Yarovoy recently had a bomb thrown through his door—by a fortunate accident, it didn't

explode! A demolition crew exploded it: it exploded with tremendous force. A criminal case has been initiated and it is under investigation. Last week, during a rally of 40,000-50,000 people in Tallinn, a person who was distributing our newspapers was attacked from behind and he received cuts on his head. There are findings by medical examiners, and witnesses' statements, concerning this. There have already been three instances of gunfire by military units. The game of democracy has ended: the leaders of the People's Front feel that there are no intellectuals on the side of the "Russian speakers." No one will raise from their knees the people who constitute, in their words, "the gray, dull mass" that is being insulted in newspapers and on television and radio. Well, actually, we do not have many creative intellectuals in the free professions. Moreover, they were not given any special opportunities to become well-entrenched. But we cannot disregard the technical intelligentsia. In the International Movement they are the majority. Currently the nationalists have apparently realized this and they are doing everything to limit the admission of "migrants" and the "scum" (as we are called in their newspapers) into institutions of higher learning... In painting that image and coming to believe in it, they miscalculated. Now, encountering a rebuff, they are changing over to intimidation and blackmail. Do you want examples? At the Tapa Stadium, two kinds of entrance tickets were issued: those with a blue stripe for local "indigenous residents," and with a red stripe for everyone else. And when "everyone else" presented their tickets, they were told: you are occupying forces—go to the draft board. The same thing happened in Keyla-Yoa. After indignation on the part of the Russian-speaking population, it was discontinued.

[A. N. Krutov] In Tallinn 2000 military personnel wearing uniforms recently went out in columns to a rally, protesting the increase in nationalism and discrimination against the military.

[Ye. V. Kogan] Central Television showed a rapturous film about the events in Estonia, but the people who prepared it did not drop into a single plant, did not take a look at the strike committees, or go to see the military personnel, veterans, or representatives of the international movement. They only photographed Comrades Vyalyas and Ryuytel and all the "generals" in the people's front, and that means in principle that they showed on the screen the administrative personnel of all ranks. They also had an interview with Yu. A. Rudyak, later editing and cutting the film in order to create the image of a Stalinist who is strongly opposed to democracy and the changes in Estonia... You have to live in my republic in order to feel the effects of the situation upon yourself and your family—at work, in the stores, or, as happened in Tartu, to call an ambulance, and then to hear on the other end, "I don't understand Russian." We who are already "combat-trained experts" in dealing with the chill of nationalism have realized that the country is falling apart. People are becoming alienated. A sea of hatred is opening up. We must not allow completely

innocent people to suffer—this has already occurred in history. Throughout the country, a large number of homeless victims have been crowding into apartments that have been subdivided into living areas, and have been on a waiting list for housing for decades. And today they have been joined by 500,000 more refugees from areas of interethnic tragedies: they roam around with their families, at times in conditions that are scarcely liveable. But where are we supposed to go if we flee our beloved country? And who, other than us, can make it an attractive home for all people of various nations? We need the truth. And I feel that "Soyuz" must have a firm, well-principled position, which should then be consistently defended. That position has been stated in our "Message," and given in detail in our platform. But as far as acting, so to speak, in a "run with the hare and hunt with the hounds" manner is concerned, forgive me, but why anyone then want to enter the "Soyuz"? Today there are quite a few people who are capable of working for the good of the country to be renewed, who support the principles being defended by us.

#### Where Does One Look For Support?

[V. M. Vologzhin] People like that are appearing also in the recently elected soviets. There will be even more of them after the end of the election. It is necessary to consolidate, to take advantage of their experience, and to transfer to them that which we have accumulated in the process of our deputy and parliamentary activities. We need a dialogue and cooperation with all the deputy groups and people's deputies at all levels, with public and religious organizations and citizens who are striving for the consolidation of progressive forces and for the preservation of the federative state structure and territorial integrity of the USSR. We need broad international, interparliamentary cooperation and contacts with our countrymen who are living abroad, irrespective of their nationality. The benefit derived from this can prove to be extremely tangible. Incidentally, the public is poorly informed about the "Soyuz" platform.

[S. G. Shuvalov] I would like to add something else: we also need to take into consideration the experience of the Interregional Deputy Group. Both the positive experience and the negative! Its members constantly turned up at the hot spots and they obtained firsthand information on Nagornyy Karabakh, Tbilisi, Baku, the strikes... Moreover, we need to use the experience of absolutely all the other deputy groups that exist as of today. The agrarians, for example, have things that we can learn.

[A. M. Kryshkin] I agree, Sergey Gavrilovich. In Kazakhstan, for example, we had interethnic conflicts. What did I take personally out of that situation? Most importantly, the ability to analyze the causes clearly, to understand, and to help to settle disputes in a peaceful manner. In matters that touch upon national interests, it is necessary to "make haste slowly." And we in the "Soyuz" delegate group should not make any negative

statements in the press, or on radio or television, concerning the other deputy groups. We must remember that the voters and the entire country can hear us clearly.

[Yu. V. Blokhin] The first conclusion that we have made, having recently consolidated on the "Soyuz" platform, is this: at the session and at the Congress we evaluated our position. And it is by no means a matter of having one and the same speakers darting up to the rostrum. Our chief concern is removing the interethnic tension, attempting step by step to achieve agreement among all the nationalities. In order to coordinate the actions of "Soyuz" in this direction, within the near future we shall issue invitations to a meeting of representatives of the people's fronts of Moldavia, Azerbaijan, Armenia, Georgia, and other republics and national formations. It is time to discuss thoroughly and constructively the contradictions that have accumulated and, working in unison, to seek ways out that are mutually acceptable. It is necessary to make intelligent compromises.

[Ye. V. Kogan] But, Yuriy Vitalyevich, at the present time the situation in the Baltic republics cannot tolerate any delay. Why? I'll say this: because one side considers itself to be the victor and no longer wants to enter into any negotiations or engage in any joint search for agreement.

#### **We Must Strive for Tolerance!**

[A. M. Kryshkin] Yes, this is necessary. Yevgeniy Vladimirovich. In Kazakhstan too, everything is not so simple. The blood of innocent people has already been shed many times. Confrontation did not satisfy me either, when I was becoming acquainted with the work of the deputy groups that existed prior to "Soyuz." Many deputies—newcomers in the parliamentary, deputy arena—had not yet chosen where they would go, what they would ally themselves with in order to do something specific to improve the life of people in the republic and the country. The desire to help to remove the tension and the state of alarm, so that the fellow citizens could live and work peacefully, so that children could go to school, to prevent the collapse of the country's territorial integrity, and to achieve unity, led us to unification, to the creation of the "Soyuz" deputy group. I think that this goal will be supported in all the labor collectives.

[G. I. Tikhonov] The USSR is primarily a single state, a single territory, a single economy, ecology, state language... Most of my countrymen and colleagues—deputies from Tajikistan, an area that also has already experienced the tragedies of murders, vandalism, nationalistic feuds—have agreed with the platform of the "Soyuz" group. Despite the fact that our republic has already enacted a law governing the state Tajik language, we insist on having laws governing bilingualism in the republics, on having two state languages. Russian must remain the language of communication among nationalities, taking into consideration the conditions that developed historically, and also for purposes of carrying out unionwide tasks. I consider that it is meaningless to ask

the question of which comes first: the nation, the state, man, or society. The most important thing is for man to be free in society, and on our entire land. Children of various nations can live in friendship and enjoy equal rights. A humane ecology and economy should not separate us, but should unite us. Production entities must become ecologically clean everywhere.

[A. N. Krutov] Before we achieve that, Georgiy Ivanovich, all of us deputies from various republics, krais, and oblasts, and all the people of various nationalities in "Soyuz," will have to do a lot of hard work. We will have to work jointly to resolve the most painful problems. Our main goal is the preservation of the existing USSR. But it will be fundamentally renewed. We are in favor specifically of radical changes in the economy, politics, and social life. We are in favor of a new union treaty and a renewed federation. In order to prevent the state from falling apart. Otherwise the process will be unstoppable—Russia itself will disintegrate into oblasts, krais, and rayons. One often hears that it is better to live in separate national apartments... But it took centuries for the economic ties and the ethnic groups to develop, and it is difficult now, especially in the republics, to find an "absolutely pure-blooded" Russian, Ukrainian, Lithuanian...

[Moderator] The most important thing is to guarantee the person's rights on any territory, regardless of where he lives, regardless of his language, nationality, or religious persuasion. A USSR citizen must feel that, wherever he is, he is free and has equal rights. The increase in national self-awareness is a gratifying process. But where should we draw the line that separates us from the chasm of nationalism? That's the question.

#### **Wherein the Reasons for the Confrontations Lie**

[V. M. Vologzhin] This is very complicated. I grew up in Angara and until I was of mature age I never heard anyone asking what anyone's nationality was. That was Siberia, where historically, especially in Angara, there had formed a community of Russians, Germans, Latvians, Poles, and Ukrainians, and a dozen of other nations... People went there in order to survive. They raised their families there, marrying Siberian girls of various nationalities. In the stern environment, there were never any conflicts based on nationality. Now, for half my life, I have been living in Lvov, and the people here know how they were helped by Siberians during the war and, yes, also after it. We speak about the nations of a large state, and I consider it to be simply immoral when people of a definite nationality, simply on the basis of their origin, place them above their neighbors, and who, on that basis, put themselves in opposition to the truly racist principle. It seems to me that the factor that served as the detonator for the confrontations, for the divisions, was the unsatisfactory socioeconomic basis that truly underlay our labor coexistence. The reasons for the waiting lines, for the shortages, say, of meat, definitely do not lie, of course, in the fact that some particular nation has eaten it all up, and did not leave any for us. If



we resolve the economic problems, we shall also largely remove the contradictions and the interethnic conflicts. The entire question is how soon this will be done and how much decisiveness we demonstrate in taking these cardinal steps. When there is enough of everything, when people are working harmoniously, there is no reason for conflicts among nations. And so the task of our "Soyuz" deputy group consists in emancipating people, in giving them the freedom to grow grain, to produce the necessary commodities, and to enjoy the fruits of their labor.

[A. N. Krutov] In my opinion, Valentin Mikhaylovich, the unrest in our society is not caused by empty shelves. It is the result of the fact that many of our values have proven to be false. People have stopped bowing down to the previous idols and have dashed off "to seek different gods," to whom they are ready to bow down. Because prior to 1988 there were no interethnic tragedies, although the economic reform was starting poorly...

[S. G. Shuvalov] We might recall wartime—the unifying idea of preserving the country and life itself was, in our multinational state, the only idea for everyone...

[Moderator] But you cannot even throw words out of a song—there were "guilty nations" that were mercilessly deported. There was Stalinist genocide, the setting of people against one another on the basis of nationality, and there were unequal rights because of a person's origin. That is the heritage that we must now take decisive steps to get rid of.

[V. M. Vologzhin] There is something else. We must definitely have faith. I am a proponent of the maximum amount of freedom for everyone in this completely individual, personal manifestation of what is human in us. There should be no commanding or dictating here. And the freeing of the individual through the economy would remove, I think, many of the frictions among the neighboring nations.

[N. S. Feskov] I agree. I became an ardent proponent of the "Soyuz" group specifically because the theory that is preached in it first of all is the primacy of human rights. And the second thing that forced me to join the "Soyuz" platform was the desire to act jointly in order to get away from the unitary state. But the Soviet Union is our common home, and it should be restructured on renewed federative just principles... I disagree slightly with Aleksandr Nikolayevich Krutov: the continuing interethnic tension and even open hostility are a derivative of our political and economic misfortunes. I also discern in all of this regional selfishness. Do we hope that, as we change over to regional cost accountability, we shall, in principle, resolve all the problems? Even when I was still a candidate for election as a people's deputy, I also put my hopes in that.

#### Are Multipurpose Recipes Beneficial?

[Moderator] Let us now ask the question: what do you think, Nikolay Stepanovich—is it desirable to hurry here? Instead of leading to economic "independence," won't this lead to

universal disorder and conflicts, and to the hurried secession of all and of the whole from everyone?

[N. S. Feskov] Unfortunately, there are such fears. And no one knows what the course of events in the Baltic republics will lead to... The Mory Land-Reclamation Machinery Plant is located in my okrug. Eighty percent of its output goes to RSFSR. Belorussia has changed over to regional cost accountability, while retaining close ties with the Union and with other republics, and is attempting to gather under the roof of its ministries as many enterprises as possible, seeking benefits for the republic. They made an attempt to separate the plant from the interbranch Dormash Association—the labor collective council, the trade-union organization, and the administration rose up—but they are losing their production ties. Ninety-seven percent of the components and assemblies and 93 percent of the raw and other materials are shipped to the plant from outside the confines of Belorussian SSR. The republic attempts to change the plant's area of specialization to the production of excavators. Is that advantageous, if all the ties will have to be broken, and new ones will have to be established, once again outside the confines of Belorussia, but the collective does not want such risky changes? But this is only one specific example. Is it desirable to hurry with the immeasurably larger changes in entire regions and republics? Wouldn't it be better to measure everything carefully seven times, and to provide for the placement on the map of the fates, of millions of fates... In my okrug, people have lived in peace side by side for hundreds of years—Belorussians, Ukrainians, Poles, Jews, Russians, Lithuanians, Germans, and representatives of other nations. But in recent years interethnic enmity has been incited, at times deliberately and artificially. The imperial policy, without a doubt, must be put outside the law.

[Yu. V. Blokhin] I myself have lived in Moldavia all my conscious life. My children were born there. We know and love the Moldavians' language, customs, and culture. Understandably, our home and our friends are there... It was painful for us to perceive bitter discussions talking place recently, perhaps only a year ago, concerning the priority of the indigenous nationality in everything, and then to have the tragic events break out. It was with complete responsibility that we signed—together with USSR people's deputies V. I. Alisnis, S. V. Angapov, K. Ye. Ivanov, Ye. U. Kim, B. F. Rakhimova, and 15 more colleagues—the "Appeal from the 'Soyuz' Deputy Group." In that appeal we share our unease, which is caused by the complication of the sociopolitical situation in the country, by the deepening of the socioeconomic and ecological crisis, by the buildup of interethnic enmity, and by the increase in social tension. We appealed to all Soviet citizens, labor collectives, USSR people's deputies, and the people's deputies and candidates for election as deputies in the union and autonomous republics and the local soviets, to consolidate themselves and do everything possible to bring our country out of its crisis. "Soyuz" called upon the voters to cast their votes for candidates who are taking firm positions of country unity,

internationalism, and Soviet patriotism. I take a calm attitude to the fact that our Gagauzy or the Dnestr region are demanding autonomy. This kind of experience is widespread throughout the world: take, for example, Belgium, a single country that has three autonomous regions—Flemish, Walloon, and German—and three languages... History has deemed that all of us must live on the single fragile planet, and we must not allow an escalation of hatred, racism, or chauvinism. "Soyuz" is firmly resolved to defend the ideas of humanism and the human dignity of every individual.

[Moderator] I would like to thank all the participants in this discussion in the name of the readers of our weekly, who have received the opportunity to become familiarized in detail with the "Soyuz" deputy group, its affairs, and its platform. We shall hope that the problems that were raised will not leave them indifferent. It would seem that we ought to continue and deepen this familiarization.

### Comment on Sakharov's Constitution Draft

90UN1762A Moscow VECHEPNIY MOSKVA  
in Russian 14 Apr 90 p 2

[Article by M. Chelnokov, docent at MGTU (not further identified) imeni N.E. Bauman, RSFSR People's Deputy for the Izmaylovo District, in the "Discussion Forum" column: "Let Us Take Off the Blinders: Comments on the Draft of the Constitution Prepared by A.D. Sakharov"]

[Text] No man is a prophet in his own home: So far, A.D. Sakharov's draft of the constitution has not received wide acclaim. However, I am sure of this: Time will pass, and many of Sakharov's most important sociopolitical ideas will go into effect, just as Andrey Dmitriyevich himself has gone down in history.

Let us examine some of his key ideas that went into the constitution draft. Our attention is drawn, first of all, to his proposed change of our country's name—Union of Soviet Republics of Europe and Asia. The word "Socialist" is not in it.

Why? Analysis of the works of Marxism's classic figures shows that socialism is characterized, above all, by the following two basic profiles: The creation of humane living conditions, material well-being, and social security for all citizens, and the elimination of unemployment, criminality, and the other vices of capitalist society; universal justice and freedom, the creation of equal opportunities for all, realization of the principle "From each according to his capabilities, to each according to his labor," and the elimination of exploitation.

To what extent does everything said here correspond to our society? Everyone sees the real life for himself. And the word "Socialist" in the name today expresses a developmental goal rather than the society's condition. In all probability then, it is more honest to hold off on this definition and, at the same time, get to know what we understand as socialism today.

The only thing that we have achieved out of socialism's basic profiles is that private ownership of property has been eliminated. What this has led to is known to everybody. But our government and a majority of the USSR Supreme Soviet, as before, are even afraid of the very words "private ownership."

However, the recently enacted Law on Ownership is a big step forward in our understanding of this concept.

It is usually said that private ownership leads to exploitation. However, that the state exploits the workers immeasurably more here than is the case under capitalism, this is obvious even now. The second objection to private ownership is this: Our gangsters [mafiozi], shady-economy bosses, and criminal groups, that have already accumulated considerable capital, they say, would take over the ownership.

The following may be said in this regard: In the first place, these population elements, even now, are living more than luxuriously, even better, in a certain sense, than entrepreneurs under capitalism, because the private owner always runs the risk of going broke, and therefore must "slave," while those who have taken over state enterprises here are spared this risk. In the second place, the shady economy and the criminality associated with it in our country have been produced precisely by our currently existing system, and must be eliminated by the state, which also is obliged to take every possible step to deny the gangsters [mafiya] private property ownership.

Anyway, it seems that there is no cause for alarm in regard to private ownership.

In his draft of the constitution, Andrey Dmitriyevich Sakharov introduces all forms of ownership, just as has been done throughout the world: state (which may be leased), cooperative, corporative, and private (the latter's amount, except for land, is not limited in any way). Is it not really time to understand that this is absolutely necessary, that there must be all forms of ownership in the country?

Let us stress one more time—the creation of a strong economy is essentially impossible without private ownership. A.D. Sakharov was a disciple of convergence, of the capitalist and socialist systems' approximating each other. For a long time now, there has not been the sort of capitalism in the West, which existed in Marx's era. The Western World has taken gigantic steps on the convergence path, created a social security system for the individual that is considerably superior to ours, and provided material well-being and excellent living conditions to the individual. We mark time, as before, and do not want to remove the ideological blinders from our eyes. So, is it not time to heed the words and ponder the ideas of our country's great citizen, Academician Sakharov?

It seems that A.D. Sakharov's ideas should be taken into account when preparing our new constitution.

### Results of Estonian Parliament Election Viewed

90UN1396A Moscow SOYUZ in Russian No 12,  
19 March 90 p 3

[Article by IZVESTIYA correspondent Leonid Levitskiy: "There Will Be No Runoff Elections"]

[Text] Agitation mostly, but also information is the lot of G. Yanes, secretary of the presidium of the republic electoral commission for elections to the Estonian SSR [Soviet Socialist Republic] Supreme Soviet. For this reason his evaluation of the elections is objective: They were entirely satisfactory. This means that approximately 80 percent of the electorate took part. Elections were held in all 46 electoral districts.

Some 105 deputies have to be elected to the Supreme Soviet. There were initially six contenders per seat, and the vast majority of districts were multi-seat. Then, following voluntary withdrawals, four contenders per seat remained—also quite tough competition. And although Estonia is today becoming accustomed to living under conditions of a multiparty system—26 parties are operating—there was no election struggle among them. The parties are only just being formed and simply could not have conducted so crucial a campaign. But it was the first time the Estonian Communist Party did not officially take part in the elections to the Supreme Soviet either. Its authority, it is believed, is on the decline, and even the leaders of the Estonian Communist Party ran on the lists of other public organizations (except V. Vyalas).

I shall not venture to judge how justified this decision was, but a recent sociological survey showed that in terms of popularity among the population, the Communist Party was surpassed only by the People's Front. And the number of communists elected—it is true they operated under the flags of other movements—was quite high. More than from any other organization. But alas it would seem the Estonian Communist Party is now by no means an alliance of the like-minded. At times the communists were struggling among themselves for seats such as to damage the authority of the party as a whole.

Seats in parliament were essentially disputed by three major blocs—the People's Front, the "Free Estonia" Association, and the United Council of Labor Collectives [OSTK] and the Intermovement. Both the People's Front and the "Free Estonia" Association built their election platforms around the idea of the restoration of Estonia's independence. The OSTK and the Intermovement advanced the slogan of a sovereign republic in a renewed federation. And each bloc had sufficient supporters. For the first time no single party and no single association will have a majority in parliament ensuring adoption of the necessary decision. The supporters of the People's Front and the "Free Estonia" Association were practically solely Estonians. The Russian-speaking population voted for the OSTK and the Intermovement, in the main. But the ratio of deputies in parliament will not correspond to the numbers of communities. This despite

the fact that, I repeat, the OSTK and the Intermovement were, according to observers' first comments, more than successful at the elections. In accordance with the Election Act, the rural population, it is mainly Estonian, takes precedence. A deputy's mandate in the country "costs" less by a factor of two or three than a town mandate. But it is too late to talk about this now.

### Latvia's Peters Comments on Aspects of New Federation

90UN1534A Moscow LITERATURNAYA GAZETA  
in Russian No 16, 18 Apr 90 p 3

[Article by Yanis Peters: "Up To and Including Secession?... Direct Answers to Direct Questions"]

[Excerpts] In the 11 April 90 issue of LITERATURNAYA GAZETA, A. Alimzhanov and I. Drach answered questions in the questionnaire dealing with the problems of our federation. Today this discussion is continued by authors Ch. Abdullayev, Ya. Peters, and V. Selyunin. We might recall that the authors were asked the following questions:

1. How do you visualize the new union treaty, the new federation? On the foundation of what nationality-wide idea will the independence of your republic be based?
2. What illusions in the process of national awakening must be avoided today? Against what on this path would you like to warn your nation?
3. Will your nation preserve its individuality, its spiritual culture, if the republic secedes from the USSR? Isn't there a danger that your republic will prove to be in the status of a provincial neighbor of more powerful states? [passages omitted]

Yanis Peters, Riga

### Values Without Which It Is Impossible to Survive

1. I am offered two alternatives—to discuss both the possibilities for the "new federation" and the "new union treaty," and the probability of an independent—or, to express it more precisely, sovereign—state: because the union republics, irrespective of how they proved to become part of the USSR, are sovereign only in the Constitution, and, consequently, only on paper.

Czechoslovakian President Vaclav Havel, at a reception in Moscow on 26 February, told me the following in a private conversation: "So far as I understand, the essence of the problem lies in the circumstance that the Baltic republics see their status in a different way from the way in which it seems to the Soviet Union... Consequently, you have dual status."

"Dual status" is a bitter, but precise definition...

It must be said at the outset that for many years I was a large "federalist." For various reasons. First of all, for diplomatic reasons. I never believed that the previous



USSR central government and the CPSU Central Committee Politburo, with their militarized psychology, would be able to permit even the idea of the status of a republic outside of the USSR. You will recall how zealously the Moscow "protected" GDR, Hungary, Czechoslovakia... Never before did it occur to me (and not only to me) that, under the totalitarian system that reigned in our Union, it would be possible, by peaceful and—as people now say—parliamentary means, the helm of our ship of state would be approached by such a person as Mikhail Gorbachev, for whom democracy is his political philosophy. Previously, people like this were stopped not even while they were midway, but at their very first step.

And so I attempted to think realistically, like a typical Balt, if one does not consider those Balts who were heroes and therefore became martyrs and victims. It seemed to me that everything that I could do for Latvia came down to humanization, liberalization, and reforming the regime by tactical means, so that my nation could survive. It was with that idea that I and those whose thoughts agreed with my own convoked on 1-2 June 1988 a plenum of the Latvian Writers Union with the participation of the administrators of other creative unions, which plenum is considered to be the first purposeful word of protest expressed by the Latvian intellectuals against dogmatism and arbitrary rule, and against the demographic situation that is critical for the Latvian nation.

At that time we were still speaking only about a reform in the federation, and I had the hope that the 19th CPSU Conference, of which I was a delegate, would immediately make it understood that the nations making up the USSR must become free, and the republics must become independent. The conference ended by designating the path for alternative elections, and Latvia's hope, like my own personal hope, began to change into action. I believed in the new federation no longer for diplomatic reasons, but in a real way. While remaining a typical "federalist," after stubborn insistences by the public (I refused three three times, and agreed the fourth time), in 1989 I became the chairman of the organizing committee of the Latvian People's Front; that organizing committee included persons who think in various ways—from representatives of the Helsinki-86 human-rights group that was still being persecuted at that time, to the "Greens," and from Communists, who at that time were the basic force in the People's Front that was being created, to participants in the Movement for Latvia's National Independence—at that time the latter were already against any federation.

The events took their course. We founded the People's Front, and we adopted its first program, where we continued to demand federation on parity principles. The idea of the new federation was alive in Latvia as early as the spring of 1989, during the 26 March election. As a result of the alternative and direct elections, I became a USSR people's deputy. I received 80 percent of the votes without making any attempt to conceal my

"federalist" views. Today I would no longer be able to do this. The idea of federation in the eyes of Latvians and a rather large segment of people of other nationalities who are living in Latvia has lost any of its attractiveness during the year that has passed. At the 1st Congress of USSR People's Deputies I gave a speech in which I was already speaking of Latvia as a state in a union of states.

The center has delayed with the creation of a confederation for at least a half-year. But a half-year in politics can be equated to many light years in space. So this is my opinion: today Latvia can discuss a new union treaty, confederation, association, the Common Market, etc., only after the restoration of its complete independence, rather than its "secession from the USSR," since the republic, which previously never signed a single treaty governing entry into the USSR, legally cannot secede from it. This is as elementary as the ABC's in the light of international law. One can speak only of the complete restoration of sovereign Latvia, which would receive its international recognition from the hands of the USSR, or, in other words, from the hands of USSR President Mikhail Gorbachev, as it had received it in the form of the 11 August 1920 peace treaty from the hands of the Soviet government headed by Lenin. After this act, which will apparently be followed by the recognition of Latvia as a state by other countries, it would then be possible also to discuss various other treaties—beginning with economic and ecological treaties and ending with political ones. I realize that the USSR has its interests in the Baltic republics, and that the Baltic republics definitely have their own vital interests in Russia, Belorussia, the Ukraine, and the other Soviet states—in other words, in the republics. These interests must be observed, since they are eternal. Fate proposed to our nations that we move ahead together, but moving ahead together means walking along the road voluntarily, rather than being fettered by a single chain. The restored state system in Latvia would restore true friendship with the Russian nation and with Russia, since the well of friendship has run dry today, and it must be cleared of the stones and the fragments of the mines of Stalinism—clear springs are bubbling below.

The well-known film director Yuris Podniyeks, who wrote the scenario of the motion picture "Is It Easy to Be Young?", said with a remarkable degree of precision in the independent FORUM KULTURY newspaper that is published in Riga, "Irrespective of whether or not the Baltic republics or Latvia remains in the Union, and even if tomorrow uncontrollable natural forces tear us away from the continent and we prove to be an island like England, we still will have nowhere to go to get away from the law of connecting vessels—we are linked by it in this country, in this world, on this sinful land. It is necessary to restore the values without which it is impossible to survive either separately or together."

If all the Latvian intellectuals, all the Latvians, and the entire nation of Latvia thought that way, we could cope successfully with the creation of a democratic Latvian

state—alongside of similar neighboring states, and primarily alongside of Russia, whose view of the Baltic republics must be wise and humane.

2. During the time of national awakening, illusions are inevitable. It is not accidental that a certain Western journalist called the new processes in the Baltic republics "a singing revolution." Actually, in all our actions, demonstrations, rallies, and even in our acts of protest, we sing. We talk a bit, we discuss things a bit, and then we sing. This is a unique phenomenon, and maybe ethnopsychologists, sociopsychologists, and possibly even political experts can study it. The first holiday of song that was held in 1873 in Germanized Riga also was not for Latvians only a musical event: it was also an illusion, or, to put it more correctly, the complete illusion of a political and national demonstration. However, at the present time I am convinced that the time has come to change over from a "singing revolution" to a revolution of thought, a revolution of the intellect. The "singing" illusions can remain in the arsenal of our spirituality, but it is necessary to undertake the development of a completely realistic, scientifically substantiated economic concept, as well as a political and diplomatic doctrine. In the interrelationships with Russia, for the nation, parliament, and government of Latvia there is no better example than the course taken by Paasikivi-Kekkonen. In the total sum of prosperity achieved by Finland, an important component is precisely that course—together with Finnish patriotism, it is imbued in children from their youngest year; and this is not kissing the hands of the Father Tsar. No, it is God's commandment—love and respect one's neighbor, expecting, obviously, the same in return from that neighbor (in this instance, Russia).

What do I want to warn my nation against? Against any possible provocations on the part of our political opponents. Latvia is a multinational republic and one frequently encounters the opinion that it is herein that its weakness lies, as compared, say, with Lithuania and even Estonia, although even in Estonia 40 percent of the population is of other nationalities. I think differently—the factor of multinationality, as a result of wise policy, can actually prove to be an advantage for Latvia, when the diversity of nationalities gives new coloration to the Latvian state and makes it ethnically, culturally, and intellectually richer.

I would also like to warn the new parliamentarians about the political rhetoric in evaluating the events of 1940, since it is precisely that rhetoric that cause most pain to the feelings of people of other nationalities. It was the Stalinist leadership that was guilty of that tragedy, rather than the Russian nation, which also became a victim of totalitarianism. The declarations that will be adopted by the newly elected Latvian SSR Supreme Soviet must be written in language that is legally, lawfully, and politically restrained, rather than in the language of rallies.

3. Our time is the time of small nations. Look at Finland. At Denmark. At Sweden.

I have already mentioned Latvian holidays of song. Come and visit us this summer. For the first time in our entire postwar history, we shall be celebrating it freely; it may possibly become the most brilliant emotional experience in the life of the Latvian nation in the past 50 years. All our common dreams, hopes, sufferings, and exultation will merge together there.

We can offer the world the unique experience of our spirituality, experience that received its most complete expression specifically during the era of the "Gorbachev revolution"; it can be called the victory of the force of the spirit over the force of weapons, as Latvian poet Maris Chaklavs wrote in one of his poems many years ago. The nation of India also possesses this experience, and Mahatma Gandhi and Jawaharlal Nehru embodied it excellently in their activities, and it is not accidental that we are their successors, because the languages of the Balts have roots that go back all the way to Sanskrit.

Whether the small nations and the small states will be provinces of the great powers depends upon those great powers themselves. Under conditions of freedom, a nation has no need to engage in self-defense facing imperial arrogance, and so culture flourishes. The great powers simply cannot get along without the small nations—the small countries restrain them. For example, Switzerland, Finland, and Austria, the territory of which countries served as the place for conducting numerous peace negotiations.

The small countries of Europe (and now also in Asia) exert an influence on the moods of the entire world. Isn't that so? It even seems to me that the smaller the country is, the more love its nation carries within itself.

We can share the love of labor. All of us who are living among the conglomeration of multinational territories that has not yet been subjected to revolutionary transformations are missing some of that love.

Are we really supposed to believe that there is not enough of this? Songs, love, labor...

#### 4 May Latvian Supreme Soviet Activities

90UN1929A Riga SOVETSKAYA LATVIYA in Russian  
5 May 90 p 1

[LETA "Information Report" published under the rubric: "First Session of the Latvian SSR Supreme Soviet of the 12th Convocation"]

[Text] The First Session of the Latvian SSR [Soviet Socialist Republic] Supreme Soviet of the 12 Convocation continued on 4 May.

But first about the most important events of the first day's work, reports on which did not make it into the press because of the lateness of the hour.

The deputies of the Latvian Parliament were addressed by V. Landsbergis, chairman of the Lithuanian Supreme Council. Latvia, he said, has waited a long time for this

day, and the world has awaited it also, but Lithuania has awaited it most of all, and we must be together on the Baltic path, the path of life. Having expressed gratitude to the Latvian people for the moral support rendered Lithuanians and having congratulated A. Gorbunov on his election as chairman of the Latvian SSR Supreme Soviet, the president of the neighboring republic wished Latvia success on the path of the achievement of independence.

The election of the leadership of the Supreme Soviet then continued. D. Ivans was elected first deputy chairman of the Latvian SSR Supreme Soviet, A. Krastinsh, deputy chairman, and I. Daudish, secretary of the Supreme Soviet.

The morning meeting of 4 May was opened by A. Gorbunov. Discussion of the agenda of the second day of the session began. Following sharp polemics, the deputies adopted the following matters for discussion:

1. The Latvian SSR Supreme Soviet declaration "Restoration of the Independence of the Latvian Republic".
2. The Republic of Latvia Supreme Soviet declaration "Conformity of Legislative Enactments of the Republic of Latvia to International Rules of Law on Human Rights Issues".
3. Appeal to the peoples of Latvia.
4. Appeal to governments of the world.
5. Message to USSR President M.S. Gorbachev.
6. Appeal to the peoples of the USSR and democratic movements.
7. Message to Vytautas Landsbergis, chairman of the Republic of Lithuania Supreme Council.
8. Message to Arnold Ruutel, chairman of the Estonian Supreme Soviet.
9. Appeal to people working in the law enforcement authorities.
10. The provisional regulations, "Factions of the Latvian SSR Supreme Soviet".
11. The Latvian SSR Council of Ministers' resignation.
12. The Latvian SSR draft law "Council of Ministers of the Latvian SSR."
13. Appointment of the chairman of the Latvian SSR Council of Ministers.

The Supreme Soviet formed an editorial commission for the package of documents connected with the declaration on the restoration of the independence of the Republic of Latvia which had been submitted.

During its work the deputies began examination of the question of factions of the Latvian SSR Supreme Soviet.

A decree on the "Factions of the Latvian SSR Supreme Soviet" provisional regulations was adopted.

At the evening meeting the deputies embarked on discussion of the Latvian SSR Supreme Soviet declaration, "Restoration of the Independence of the Republic of Latvia," and the documents connected with it. The following deputies expressed their opinion: A. Rubiks, A. Bel, R. Rikard, I. Kozakevicha, A. Plotnieks, V. Zarkovs, I. Kezbers, I. Berzinsh, O. Shchiptsov, A. Alekseyevs, J. Bojars, S. Dimanis and M. Vulfsons.

A roll-call vote was called on the draft declaration. The "Equality" minority faction declared that it considered the adoption of the declaration impossible without further discussion and refused to take part in the voting. The results of the voting were 138 in favor and none against, with one abstention.

The Latvian SSR Supreme Soviet declaration "Restoration of the Independence of the Republic of Latvia" was adopted.

The session also adopted the following documents:

The Republic of Latvia Supreme Soviet declaration "Conformity of Legislative Enactments of the Republic of Latvia to International Rules of Law on Human Rights Issues".

Appeal to the Peoples of Latvia.

Appeal to Governments of Countries of the World.

Message to USSR President M.S. Gorbachev.

Appeal to Peoples of the USSR and Democratic Movements.

Message to Vytautas Landsbergis, chairman of the Republic of Lithuania Supreme Council.

Message to Arnold Ruutel, chairman of the Estonian Supreme Soviet.

Appeal to People Working in the Law Enforcement Authorities.

The session will continue on 7 May.

#### **Latvian Decree on Gorbunov; History Given**

90UN1929B Riga SOVETSKAYA LATVIYA in Russian 5 May 90 p 1

[Latvian SSR Supreme Soviet decree "On the Election of Deputy A.V. Gorbunov as chairman of the Latvian SSR Supreme Soviet" and biographical information; published under the rubric "First Session of the Latvian SSR Supreme Soviet of the 12th Convocation"]

[Text] The Latvian SSR [Soviet Socialist Republic] Supreme Soviet resolves:

—to elect Deputy Anatoliy Valeryanovich Gorbunov chairman of the Latvian SSR Supreme Soviet.

G. BLUM, chairman of the Latvian SSR Central Electoral Commission.

Riga, 3 May 1990.

**Anatoliy Gorbunov, Chairman of the Latvian SSR Supreme Soviet**

Born in 1942 in Ludzenskiy Rayon, a Latvian, he is married with a son.

He has higher education in two fields: construction engineer and political scientist.

He was construction foreman on Skrudskiy Rayon's "Nikratse" Sovkhoz [State Farm] and senior technician at the "Latsekhoprojekt" Institute.

He has been involved in Communist Youth League and party work since 1966.

A. Gorbunov has been a deputy at many Latvian SSR supreme soviets and was elected people's deputy of the USSR and the Latvian SSR.

At the 10th Session of the Latvian SSR Supreme Soviet of the 11th Convocation, in October 1988, he was elected chairman of the Latvian SSR Supreme Soviet Presidium, and at the 12th Session in 1989, chairman of the Supreme Soviet also.

**7 May Latvian Supreme Soviet Activities**

90UN1929C Riga SOVETSKAYA LATVIYA in Russian  
8 May 90 p 1

[LETA "Information Report" published under the rubric: "First Session of the Latvian SSR Supreme Soviet of the 12th Convocation"]

[Text] The First Session of the Republic of Latvia Supreme Soviet of the 12th Convocation resumed work on 7 May.

Opening the meeting, A. Gorbunov, chairman of the Republic of Latvia Supreme Soviet, announced that at the request of the USSR president a document explaining a number of points of the declaration, "Restoration of the Independence of the Republic of Latvia," specifically, the concept of a transition period, would be prepared and sent to Moscow.

The following agenda was approved:

1. Resignation of the Republic of Latvia Council of Ministers.
2. Certain organizational matters of the work of the First Session of the Latvian Supreme Soviet of the 12th Convocation as regards formation of the Republic of Latvia Council of Ministers.
3. Appointment of the chairman of the Republic of Latvia Council of Ministers.

4. Regulations governing the standing commissions of the Republic of Latvia Supreme Soviet.

5. Election of standing commissions of the Republic of Latvia Supreme Soviet.

The session took note of the Council of Ministers' statement on its resignation. The Supreme Soviet accepted the resignation of V. Bresis, chairman of the Council of Ministers. The republic Council of Ministers was instructed to continue its duties up to the Supreme Soviet's formation of a new Republic of Latvia Council of Ministers.

The session switched to an examination of the next item. A. Gorbunov, chairman of the Supreme Soviet, nominated I. Godmanis for the office of chairman of the Latvian Council of Ministers.

As candidate for the position of chairman of the republic Council of Ministers, I. Godmanis addressed the deputies and then answered their numerous questions. Following discussion of I. Godmanis' nomination, there was a vote by a show of hands. The result was 131 in favor and 46 against with 6 abstentions.

I. Godmanis was appointed chairman of the Republic of Latvia Council of Ministers.

I. Bisers was elected first deputy chairman of the republic Council of Ministers.

Deputy O. Shchiptsov proposed the adoption of a Latvian Supreme Soviet appeal in connection with the 45th anniversary of the victory of the anti-Hitler coalition over fascism and read out his draft. The proposal was supported by the deputies. An editorial commission was formed. The session adopted the text of the appeal prepared by the commission. The deputies resolved, to lay flowers at the Bratskoye Cemetery in Riga at the end of the 8 May evening meeting of the session.

The session will continue on 8 May.

**8 May Activities of Latvian Supreme Soviet**

90UN1932B Riga SOVETSKAYA LATVIYA in Russian  
9 May 90 p 4

["Information Report" published under the rubric: "First Session of the Latvian SSR Supreme Soviet of the 12th Convocation"]

[Text] On 8 May the Supreme Soviet of the Republic of Latvia of the 12th convocation continued its work. A. Gorbunov, chairman of the Supreme Soviet, opened the meeting.

V. Smirnov, elected from the 12th Rizhskiy Electoral District, and S. Buki, elected from the 39th Rizhskiy Electoral District, were confirmed as people's deputies at the request of M. Budovskiy, chairman of the credentials commission.



The following agenda was confirmed:

1. On the rules of the Supreme Soviet of the Republic of Latvia with regard to debates, the passage of rulings, and voting.
2. On a decree concerning standing commissions of the Supreme Soviet of the Republic of Latvia.
3. The election of standing commissions of the Supreme Soviet of the Republic of Latvia.
4. On a draft law concerning the type and basic directions of the work of the Supreme Soviet of the Republic of Latvia.

As they discussed the first question the deputies introduced a number of amendments to the draft rules of the Supreme Soviet and confirmed the rules with regard to debates, the passage of rulings, and voting.

The session confirmed the Decree on Standing Commissions of the Supreme Soviet of the Republic of Latvia, taking into account the proposals and observations of the deputies. Then the issue of forming standing commissions and the directions of their activities were discussed.

In the course of the evening meeting the deputies' inquiries were answered.

At the end of the evening meeting the deputies went to the Fraternal Cemetery where they laid flowers in connection with the 45th anniversary of the allied victory over fascism.

On 10 May the session will continue its work.

#### **Candidate Addresses Latvian Supreme Soviet**

90UN1929D Riga SOVETSKAYA LATVIYA in Russian  
8 May 90 p 3

[LETA report on speech by Deputy A. Alekseyev, candidate for chairman of the Latvian SSR Supreme Soviet, at the First Session of the Latvian SSR Supreme Soviet of the 12th Convocation]

[Text] We are faced with many questions, on which the fate of our republic and our citizens depends. I believe, therefore, that we should try to listen to all opinions to find that which is most correct which will really lead us forward, not backward. And this will, possibly, be reflected in the fate of the federation and Europe also. I hope that we will be able to listen closely to them inasmuch as it has been observed that if things are said loudly, they are poorly understood.

Considering that you are tired, having put questions to the previous speaker, I believe that my program should, obviously, be expounded more briefly in order that you may ask the questions which interest you specifically.

I represent the International Front of Workers of the Latvian SSR [Soviet Socialist Republic] and, perfectly

naturally, I adhere to the positions of this mass public organization. The concepts of our declaration were made the basis of my election program. To be concise, I believe that the main task confronting us deputies and all citizens of the republic is the establishment of civic concord. What must we do in this field and, in accordance with my idea, on what platform may this concord be achieved?

The first and indispensable condition is compliance with the law inasmuch as when one party, availing itself of its superiority, breaks the law, this inevitably evokes a turbulent reaction from the offended party. I therefore appeal to all of you: Regardless of how the voting ends, bear in mind that any offense engenders another. And in order to avoid this I believe that the main point, the cornerstone, of our activity should be the enactment of a referendum law. Enough of us delivering, on behalf of the people, the kind of speeches which were delivered in Stalin's times and, in the name of the people, declaring others enemies of the people. Speeches were delivered on behalf of the people in Brezhnev's time, by many of those here in this hall. Thus, for example, the sentence: "The Latvian people have firmly chosen for all time the path of socialist development and together with the other fraternal peoples of our country unanimously approve and support the draft new constitution." We have had enough, I believe, of expressing opportunist thoughts on behalf of the people, let us listen to the people themselves. Let them say what their attitude is toward what we decide or propose here. The unqualified enactment of laws is connected with the fact that the laws are not properly discussed with our people or that this discussion is conducted formally.

The majority of the laws which are enacted have an abundance of incomplete aspects, and some drafts which have been submitted for discussion have evoked nothing but hatred. We recall the Language Act. The first version was so ill-conceived that it helped stoke hostility. The draft Citizenship Law—where is it today? But, nonetheless, it was published, and once again people were set against one another. And, finally, the law which was enacted on voting in the Riga City Soviet Executive Committee. Is this not a model of the flouting of citizens' rights? In no civilized state may laws be changed to suit the ruling party. We wish to proclaim ourselves such a state today, in any event. As a result of the people's wishes the election to the city soviet executive committee was almost equal: 50-50. Or a one-vote preponderance for our opponents. The Supreme Soviet enacts a law to the effect that a decision may be adopted by simple majority. In a civilized state the people would in this case demand either that the deputies find a common language or announce new elections. I have presented these examples so that it will be understood to what the ill-considered adoption of decisions may lead and how they may complicate our situation.

Everyone today is disturbed by the questions: Should there or should there not be a federation? To restore Latvia's sovereignty or not? I would like to say, as an engineer, that everything has a cause. And we should ask

ourselves primarily: To what end? And we should certainly here tell our people what we had here prior to 1940. This is what Mr Bisers says about this. In the years of economic crisis the number of unemployed grew to 100,000. It further needs to be considered here that the statistics of those times did not take into account the unemployment in rural localities. How was it possible to speak about the right to education if in bourgeois Latvia only one out of every three who enrolled in the first grade completed the sixth grade of the general school, and many graduates of higher educational institutions were unable to find an application for their knowledge and pushed wheelbarrows full of sand at public work projects. I believe that we must tell the truth about what the situation was lest we repeat this past.

When we say: Should we be in the federation or not, it seems to me that we should be absolutely precise and specific in formulating the questions which we wish to decide and submit them for discussion to the Supreme Soviet of the Union. We have not today done this and will not take part in discussion of the so-called renewed federation.

What is meant by renewed federation? It is a union of republics which unites those for whom it is profitable to be in the federation. And terms need to be formulated to ensure that this is acceptable to the majority of the republics. Today we are avoiding these negotiations and, generally, deciding nothing. In addition, if we wish to conduct negotiations, it is obvious that the delegation should represent all strata of the population. The Supreme Soviet Presidium has, by its decree, approved the composition of the delegation for negotiations in Moscow. But for some reason or other delegation member Nefedov did not participate in any of these negotiations and was excluded. Why is the decree of the Republic of Latvia Supreme Soviet being violated? It is difficult to speak of democracy under these conditions.

The question of the economy. If we are to speak of the economy, the most important and most serious question is the attitude toward private property. I would like now to abstract myself from dogmatic teachings and theories. I would like to tell you, or remind you, of certain figures. In order to own private property it is necessary to have an opportunity to acquire it. Which of our citizens in our republic today is capable of acquiring this private property? There are such people. Seven percent of investors possess 50 percent of deposits. R1.7 billion. But who has been able to earn this? Frequently smart operators and speculators, unfortunately. Therefore my position on this question is that the form of ownership should be the most democratic and that property cannot be put into the hands of the people who have acquired these resources not by their own labor. And the most suitable form here, most likely, is collective. The details of this would obviously have to be worked out by our economists, and the main task of every leader of the state is, I believe, to find competent and capable people who could draw up such a program.

And the last point. The political decisions which we adopt or reject are extraordinarily important. But for whom are we adopting these decisions? For our people. And today these people are walking around empty stores and living in hovels. Very many. I therefore think that we must put as a primary item on the agenda of our session the elaboration of priority measures to provide the population with food and housing. And not least a question which is a time bomb—the Language Act. It is to take effect on 5 May 1992. However, our government has done nothing to ensure that this act will come into force. Absolutely nothing. And this is a very serious threat to our tranquillity and civic peace. I believe that we must solve this question.

### **Ukrainian Communist Party Draft Program Principles**

90UN1692B Kiev PRAVDA UKRAINY in Russian  
5 Apr 90 pp 1, 2

[Program Principles of the Activity of the Ukrainian Communist Party]

[Text] Soviet society is at a pivotal stage of revolutionary renewal. A kind of political phenomenon of the current moment is the fact that the rapid and profound changes which are geared to the revelation of the potential of socialism and which are encompassing all walks of life and all strata of the population are not as yet bringing about a tangible improvement in the life of the working people.

It has not been possible to halt the negative trends in the economy and the growth of shortages and prices or to balance the consumer market.

People's mood is being adversely affected by political instability, social tension, the decline in discipline and responsibility, the increase in national and religious intolerance and crime, and the deterioration in the ecological situation.

The processes of renewal of the party and its democratization are being impeded by conservatism and forces struggling against the CPSU and endeavoring to undermine the ideological and organizational unity of the party ranks.

All this is a consequence of both the deformation of the theory and practice of socialism in the past and the mistakes and miscalculations made in the process of perestroika, is damaging the authority of the CPSU, and is leading to the people's loss of confidence in it.

Taking as a basis the fundamental propositions of the CPSU Central Committee Platform for the 28th Party Congress and having comprehensively analyzed the political, economic, and ideological situation in the republic, the Ukrainian Communist Party deems it necessary to formulate program principles of its activity. The Communists offer the people of the Ukraine their vision of the prospects of the republic's development.



and ways for renewal of the Ukrainian Communist Party and the democratization of its life.

Proceeding from the communist perspective, the Ukrainian Communist Party sets as its strategic goal the building in the Ukraine of a socialist society which would embody the humane, democratic ideals of freedom and social justice and ensure the priority of interests and values common to all mankind and the supremacy of the law.

Our reference points are:

- affirmation of national statehood, the democratic organization of political power, and full power of the people based on legality and self-government;
- an efficient and dynamic socially oriented economy based on the modern achievements of S&T progress and diverse forms of ownership;
- a high level of public well-being and the dependable social and ecological protection of citizens of the Ukraine;
- the equality of citizens of the Ukraine, regardless of nationality, religious belief, social and property status;
- the all-around development of the spiritual culture and language of the Ukrainian people and all national groups residing on the territory of the republic;
- the high political, legal, moral, and ecological culture of the population and the harmonization of relations between society and nature.

Taking account of historical experience, the Ukrainian Communist Party recognizes that this may be achieved only on condition of the real sovereignty of the republic within the USSR.

The Ukrainian Communist Party declares its fidelity to the cause of October, the socialist choice of the Ukrainian people, and Marxism-Leninism. It is this revolutionary and essentially humanitarian teaching purged of dogmatism, distortions, and falsifications which we see as the ideological basis of our activity.

We consider our duty the further creative development of Marxism-Leninism with regard for modern conditions and historical experience. This teaching is open to new ideas and it lives because it is constantly developing. We emphatically oppose both the dogmatization and canonization of Marxism-Leninism and the aspirations to discredit it.

Comprehension of the lessons of the past is of fundamental significance for a search for ways into the future. Industry and agriculture, science, culture, and education have enjoyed appreciable development in the republic in the years of Soviet power. This has been possible thanks to the strenuous labor of many generations of Soviet people and the activity of millions of Communists. The

age-old dream of Ukrainians—reunification in a common state—has been realized.

But there have been failures, blunders, and flagrant distortions and violations of socialist principles in the implementation of nationality policy and economic, sociopolitical, and cultural development and, frequently, crimes caused by the cult of personality and its consequences. The starvation of 1932-1933, and the mass punishments of the 1930's-1940's and the early 1950's are our national tragedy.

The Ukrainian Communist Party condemns the crimes of the Stalin era and the republic state and party leadership of that time and dissociates itself decisively from repressive, forcible means of solving problems of social development. The various distortions and abuses, the inordinate centralization of leadership, and the bureaucratization of all spheres of social life which became prevalent in the times of stagnation deserve unreserved condemnation. We are for complete glasnost and truth in the illustration of all aspects of the history of the Soviet state and the CPSU.

The Ukrainian Communist Party organizes its life and activity in accordance with the USSR Constitution and the Ukrainian SSR [Soviet Socialist Republic] Constitution on the basis of the CPSU Program and Rules and its own program documents.

Expressing and defending the fundamental interests of the working class, working peasantry, and people's intelligentsia, the Ukrainian Communist Party will struggle perseveringly for the right to the role of political vanguard of the Ukrainian people. It will firmly and constantly contribute to the strengthening of the Ukrainian socialist state.

### 1. Man and Society, Social Policy

The republic Communist Party is fully aware that humane, democratic socialism on Ukrainian soil will be a reality only in the event of real conditions of Soviet man's day-to-day life and creative activity, and worthy of him, having been created. It subordinates its entire policy to the assurance of civil rights and liberties and sure guarantees of their realization, and the use of all opportunities for raising the material well-being of the people of the Ukraine and their spiritual development, the introduction of each inhabitant to the cultural treasure house of the Ukrainian nation, the peoples of the USSR and all mankind, and the molding of a new attitude toward labor and one's duties to society.

We regard the freedom of the individual and his rights and dignity as the highest values in life. The Ukrainian Communist Party will strive for their dependable legislative, material, and political protection.

The Ukrainian Communist Party considers its paramount task the establishment of social justice and a

guarantee of the conditions for the all-around development of the personality, the authority of honest, conscientious labor, and the principle of the distribution of material benefits in accordance with its results. We reject all unlawful benefits and privileges and oppose wage-leveling and all forms of parasitic existence and group egotism.

We will strive for the elaboration of a system of indexation of the population's income and an increase in pensions and other social benefits and also wages in accordance with the growth of prices and inflation. We will strive together with the unions for the appropriate social safeguards in the event of illness, accident, and personal disability.

The Ukrainian Communist Party advocates the dependable assurance of the working people's right to labor—the fundamental social gain of socialism—and the creation of an effective mechanism for maintaining employment, the training and retraining of personnel, and social protection for those who are forced to change profession or who are temporarily out of work.

We will contribute to the elaboration of a system of scientifically substantiated social priorities and norms and the mechanism of support for them, and the formulation of plans for the priority development of the regions of the republic which have lagged behind the most in the solution of social questions.

The Ukrainian Communist Party will work actively in the direction of an improvement in the living conditions and social protection of veterans of war and labor, invalids, widows, large, young, and needy families, the elderly, those living alone, and orphans, and an extension of the privileges for them and social assistance. We will cooperate in the solution of these socially significant problems with the state authorities, the work force, public organizations, the charity societies, the republic branch of the V.I. Lenin All-Union Children's Fund, and religious communities.

We advocate the elaboration and implementation of a specific program which would provide for the social protection of women, a fundamental improvement in the conditions for raising children, for work and social life, and for an enhancement of the role of women in the political life of the republic.

The Ukrainian Communist Party will seek to ensure that a purposeful youth policy be implemented along the lines of the state authorities and that the laws and decisions of the state authorities at all levels take account of the interests of the youth.

We consider it our high duty to constantly involve ourselves in the education of the younger generation—one that is ideologically and morally conditioned, intellectually developed, physically strong, and capable of living and acting under the conditions of a modern society, competition, extensive democracy, and political pluralism.

The Communists of the Ukraine will work persistently on the solution of a most acute social problem—providing each family with a single-family apartment or house prior to the year 2000. We see it as our duty to support state and public efforts in this field and strive for an expansion of housing construction by the direct-labor, cooperative, and individual methods. The allocation of housing and payment for it must be socially just.

We see as an important task a fundamental improvement in the protection of people's health, an increase in the proportion of the national income and the budgets of the local soviets spent on its development, an expansion of the network of medical establishments and their provision with all that they need, and an increase in the wages of medical personnel.

Citizens of the republic should be provided with high-quality medical services free of charge. We will promote the extensive development of medical and convalescent institutions of enterprises, establishments, and organizations.

We will support in every possible way the state program of the complete satisfaction prior to 1995 of the population's need for medical services and medicines, the creation in each oblast of modern diagnostic centers, an improvement in the protection of mother and child, the development of mass physical culture and sport, and an enhancement of their role in a strengthening of the health of the population of the republic.

The Ukrainian Communist Party attaches great significance to a cardinal improvement in the environment, shares in full the concern of the community at large in connection with the exacerbation of ecological problems, and advocates a fundamental change in the organization of their solution.

Systems of current and objective environmental information should be created in the republic and its regions. Environmental protection criteria should be taken into account in full at the time of structural changes in the economy and in investment policy and upon decision-making at all levels of Union, republic, and local administration.

We support the independent extradepartmental expert appraisal of plans for the construction and modernization of metallurgy, power engineering, chemical industry facilities, and other ecologically dangerous enterprises, and public supervision at the time of their implementation.

We consider essential the performance as quickly as possible of work on elimination of the consequences of the accident at the Chernobyl Nuclear Electric Power Station, movement of people out of the areas where the radiation level is a threat to their health, and the decommissioning of all the station's reactors prior to 1995.

The Ukrainian Communist Party will promote the implementation of a comprehensive program of protection of the Dnepr and other rivers big and small, and of the forests, the mobilization of resources for the accelerated recovery of the natural environment of major industrial cities of the republic, and the development and protection of recreational zones.

We will strive for the speediest approval of a long-term official ecological program, the enactment of a law on environmental protection, and provision of environmentally clean foodstuffs for the population. We advocate the creation of an efficient economic mechanism which guarantees the priority of the solution of ecological problems, and an increase in official capital investments and in the resources of enterprises and organizations spent on environmental protection measures.

The essence of the Ukrainian Communist Party's ecological policy is restoration of the environment for the sake of man's health and happiness, and the preservation of nature for future generations. We count in its realization on cooperation with state and public organizations, the "Green World" and "Chernobyl" societies, and other independent-activity environmental protection associations.

The priorities in the activity of the Ukrainian Communist Party are consistent implementation of the restructuring of the higher and secondary schools, and the elaboration and implementation of a democratic concept of education in which national historical and cultural traditions and the moral experience of the Ukrainian people and of the national groups residing on the territory of the republic are organically incorporated in the system of teaching and education.

We are for the broad humanitarianization of education and schooling and a profound renewal of the content and system of teaching of social science disciplines. The school should mold a citizen of the Soviet Ukraine and patriot of his socialist fatherland who is ready for its defense and for labor for the good of society.

We support the consistent autonomization of the activity of the Ukraine's higher educational institutions. The training of specialists should correspond primarily to the republic's economic and cultural requirements and the multiplication of its S&T potential.

We will contribute in every possible way to the creation of the material and spiritual conditions for the development of education, the increased social standing of the teacher, VUZ [higher educational institution] and technical school lecturer and preschool educator, an improvement in their material provision and social conditions, and the enlistment of the family and the public at large in the solution of fundamental problems of teaching and education.

We will strive to ensure that each student of the VUZ and trainee of the technical school be provided with a

grant and dormitory facilities and have the appropriate conditions for study and social life.

The Ukrainian Communist Party attaches exceptional significance to the revival and development of Ukrainian national culture and the cultures of the national groups residing on Ukrainian territory—the spiritual foundation of the state sovereignty of the republic.

We will consistently pursue a policy geared to the affirmation of Ukrainian as the official language, expansion of the sphere of its use, and satisfaction of the linguistic and cultural requirements of people of all nationalities residing on the territory of the republic.

Together with the language of one's nationality we regard mastery of Russian as an important means of introducing the population of the republic to the achievements of science and technology and domestic and world culture and the mutual enrichment of the cultures of the peoples of the USSR. We will strive for state concern for Ukrainian culture and language outside of the republic, the development of the culture of the national groups that live in the republic, and the granting of constant assistance in preserving the native language and culture to Ukrainian ethnic groups abroad.

The Ukrainian Communist Party will work actively on realization of a comprehensive program for the development of culture in the republic and will seek the necessary material-technical, financial, and personnel support for it. We advocate the elaboration and enactment of a law on culture in the Ukrainian SSR.

In the development of culture the Ukrainian Communist Party sets as its goal guaranteed freedom of creativity, the exclusion of administrative interference in the cultural process, and promotion of the all-around revelation of talent and its treatment as national property.

While supporting diversity in the cultural sphere, the Ukrainian Communist Party will emphatically oppose spiritual poverty, aesthetic drabness, and the diktat of "mass" culture.

In its political activity pertaining to the revival and development of national culture, the Ukrainian Communist Party counts on the active cooperation of the artistic unions, academic establishments, VUZ's, and national-cultural and educational societies.

The Ukrainian Communist Party considers it necessary to emphasize that the scale and timeframe of the realization of social, economic, and ecological programs and the development of science and culture will depend directly on a constant increase in production and the increased augmentation of GNP.

## II. Priorities of Economic Policy

The core of the practical activity of the Ukrainian Communist Party is socioeconomic policy. The main thing in this is a cardinal recovery of the republic's

economy and its prompt reorientation toward satisfaction of the Ukrainian population's material and social requirements at the level of modern living standards.

We are convinced that radical economic reform in the Ukraine may be accomplished only on the paths of the republic's economic sovereignty, the organization of economic life on the principles of self-management and economic independence, and the establishment of a new type of relations in the USSR's national economic complex with regard for the level of the interrepublic division of labor which has been achieved and national, regional, and all-Union interests.

We will seek the formulation and enactment in 1990 of a law on the economic sovereignty and self-management of the Ukrainian SSR, the basis of which are the following fundamental positions:

- the people of the Ukraine's exclusive ownership of the land, the interior, mineral-raw material resources, the forests, inland and territorial waters, and other natural wealth, the basic means of production, transport, and also the financial-credit establishments with the budget, credit, currency, and other resources formed on the territory of the republic which belong to them;
- the decentralization and demonopolization of the economy and the independence of the organs of state and economic leadership in determination of its structure, the forms and methods of management and control of social production and commodity-money turnover on one's territory, the implementation of tax policy, and distribution of the national product and income generated in the republic;
- independence of the work force and establishments and organizations in economic activity and the establishment of economically substantiated relations at the republic, interrepublic, and international levels on the basis of the equivalent exchange of products of labor with regard for the structure of the Ukraine's economy;
- protection of the republic economy in relations with other Union republics and central authorities and decisive opposition to departmental monopolism.

The Ukrainian Communist Party will combat trends toward autarky, economic self-isolation, and regional egotism, and will work perseveringly in the direction of a strengthening of just, mutually profitable economic ties to the center and the Union republics on a new contractual basis.

The Ukrainian Communist Party advocates the equality of all forms of ownership and the creation of a mechanism for their realization which excludes man's exploitation of man.

We are convinced that only given regional self-government, the substantiated use of economic methods of management, an acceleration of the rate of reproduction and commodity-money circulation, the active

implementation of an anti-inflation policy, an improvement in the forms of remuneration, and high organization, discipline, and order at each place of work may successful economic reform in the Ukraine be achieved.

We advocate the optimum combination of planning and market methods of the regulation of economic activity, the development of a republic market which is organically united with the Union and world markets, and a reform of pricing and transition to convertibility of the ruble.

Questions of the social protection of the population demand the particular attention of the republic's Communists under the conditions of transition to a planned-market economy. Together with the unions and other public organizations and state bodies we will strive for the centralized regulation of problems which might arise in connection with the extension of the economic reform, the introduction of financial autonomy in all spheres, and transition of the regions to self-financing.

Together with the state and law enforcement authorities and all honest people the Communists will struggle resolutely against the shadow economy, mismanagement, squandering of resources and assets, and unjustified price increases. While supporting the development of cooperative and individual-labor activity as additional sources of satisfaction of the population's need for goods and services, we will simultaneously be irreconcilable toward smart operators engaging in profiteering and robbing people and the state.

Rectification of the deformations in the republic's economy will require considerable efforts based on an integral and profound program of its structural reorganization. It is necessary to submit the draft of such a program for extensive discussion as quickly as possible.

The Ukrainian Communist Party deems it essential to increase the attention paid to the development of the traditional sectors of the republic's industry, where large detachments of the republic's working class work—the coalmining industry, ferrous metallurgy, the whole mining and metallurgical complex, and power engineering. We advocate a state program for accelerated modernization and retooling of these enterprises and their arrival at the world technology level, and a radical improvement in the work, living, and social conditions of miners, iron and steel workers, and people working in chemical industry and transport.

In the course of conversion it is essential to contribute to the preservation and multiplication of the engineering, technological, and personnel potential of the defense enterprises and orient them primarily toward the manufacture of high-technology consumer goods.

The Ukrainian Communist Party's agrarian policy will be subordinated to the priority solution of the most acute problem—the food problem—on the basis of the priority development of agriculture.



We see as the way to this the actual turnabout of the republic's economy toward the needs of the agroindustrial complex, the strengthening and efficient use of the production potential of agriculture and the processing and food sectors, and the creation in the countryside of living and work conditions worthy of man. The rate of the development and renewal of the food complex should be preferential in order that the agroindustrial complex not be inferior to other sectors of the national economy in terms of level of pay, capital availability, production techniques, and the storage and processing of the produce.

We advocate the economic independence of the kolkhozes, sovkhozes [collective, state farms] and other agroindustrial formations and the accelerated development of various forms of contract, leasing and peasant farms and agricultural cooperatives on the conditions of equal economic management opportunities. It is the wish of the rural workers to themselves select the form of ownership and management on the land.

We will strive for effective economic and social measures of the state pertaining to the protection of the interests of the peasantry, the establishment of a socially just system of agricultural product purchases for all-Union and republic stocks, economically justified purchase prices of agricultural products and their correspondence to the prices of machinery, equipment, and construction materials, and a balance between the amount of state purchases of agricultural products and material-technical support for their production.

The Ukrainian Communist Party will promote the development of the productive cooperation of the workforce of industrial enterprises and production subdivisions of the republic's agroindustrial complex.

The Communists' efforts will be geared to acceleration of the pace of the social rearrangement of the country and its provision with natural gas, water, heating, electric power, and trade, consumer, and medical services on terms equal to those of the town. All the conditions should be created for the peasants for productive labor, and they should be assured access to the achievements of science, medicine, education, and culture. A proven investment policy and the practical participation of the industrial and intellectual potential of the town should contribute to this.

We support the peasantry's demand that the social sphere of the country be developed not only at the expense of the kolkhozes and sovkhozes but, to an equal extent, at the expense of the state, and that industrial and other enterprises of the town pay for the use of labor resources the rural soviets on whose territory their workers permanently reside.

A particular part in the realization of agrarian policy should be played by the rural raykoms [rayon party committees] of the Ukrainian Communist Party.

In the formulation of economic and social policy and the accomplishment of the complex tasks of perestroika the Ukrainian Communist Party will rely actively on the achievements of science and cooperate creatively with the republic Academy of Sciences and the scientists of VUZ's and sectoral research institutes. We are convinced that the underestimation of science and S&T progress leads to stagnation phenomena in the engineering and technological state of the republic's economy and is an impediment to economic restructuring.

We are for a strengthening of the development of the basic sciences from budget financing, an updating of the material-technical base of science, and the development of research into ecology and medicine, electronics and information science, materials technology, and energy savings, soil science and agronomy, genetic engineering and biotechnology, and economics and social science, and support an improvement in the infrastructure of S&T progress. We attach great significance to the incorporation of the research organizations in financially autonomous relations.

In the organization of basic research it is important to implement measures pertaining to the integration of academy, VUZ, and sectoral science, and to struggle against a monopoly on scientific truth. The humanization of science should be an important process.

We deem it necessary to draw up a republic program of the informationization of society. We will promote its consistent implementation. We are convinced that the establishment of the republic's economic sovereignty is impossible without its participation in the international division of labor and cooperation with foreign partners. We advocate the enlistment of foreign companies in the reconstruction and modernization of the leading sectors of the republic's economy and joint, mutually profitable business activity. Particular attention should be paid to the broadening of the participation of the republic's scientists in international scientific cooperation.

### III. Toward Sovereign Ukrainian Statehood Based on the Rule of Law

The point of departure of the Ukrainian Communist Party's contemporary policy in the sphere of national-state building is the establishment of the state sovereignty of the Ukrainian SSR based on a new Union treaty. The full-fledged political, economic, social, and spiritual development of the Ukraine, the preservation and further burgeoning of its culture and language, and the affirmation of the national dignity and distinctiveness of the Ukrainian people and all national groups residing in the republic are impossible without this.

How do we understand the state sovereignty of the Ukraine and what are the fundamental positions we will uphold:

—the unlimited power of the Ukrainian people on their territory, and the right to independently determine the

forms and structure of the organs of state power and administration and symbols, and to decide all questions of the official, economic, and cultural life of the republic;

- establishment of the institution of Ukrainian SSR citizenship;
- the right of the Ukrainian people to the revival and preservation of their national-cultural distinctiveness, language, historical memory, and natural surroundings;
- the formation of the Ukraine as a real subject of international relations and the right to enter into direct economic and commercial relations with foreign states and exchange diplomatic and consular representations with them;
- the priority of republic laws over enforceable enactments of the organs of administration of the USSR, termination of the effect of Union laws exceeding the Union's competence, and creation of the legal basis and mechanism of defense of the republic's economic interests;
- state integrity and territorial unity, the territorial supremacy of the Ukrainian SSR, and the impermissibility not only of a change in but also use of the territory of the republic without its consent.

The Ukrainian Communist Party is emphatically opposed to attempts to take advantage of the process of the establishment of the sovereignty of the Ukrainian SSR for narrow nationalist, separatist purposes, national exclusiveness, and egotism, and the solution of the problems of some peoples at the expense of others.

The main, single legitimate source of power in the republic is the sovereign will of the people of the Ukraine and the unlimited power of the soviets of people's deputies. The republic's citizens realize their sovereign will by way of referendums and through their representatives democratically elected to the organs of power.

Our fundamental position is that political power is achieved only through free democratic elections to the soviets. We are for the establishment of their real power and for this the creation of the necessary legal, material, and financial basis.

The Ukrainian Communist Party will strive to democratically secure its representation in the soviets, relying here on the trust of the workers, peasants, intelligentsia, and all strata of the republic's population. We are for the competition of the platforms of various political forces, public organizations, and movements operating within the framework of the law, and for dialogue and the democratic competition of ideas and personalities.

We advocate a decisive increase in the efficiency of the mechanism of executive authority and a strengthening and expansion of the authority of the republic government in accordance with the Ukraine's new status as a

sovereign state. We will seek the consistent implementation in the republic of the principles of separation of powers—legislative, executive, and judicial—a strengthening of the independence of the courts and the procuracy and an enhancement of the role and a strengthening of arbitration and the bar. We are for the creation of a constitutional court of the Ukrainian SSR and the approval by the Ukrainian SSR Supreme Soviet of a republic prosecutor.

The Ukrainian Communist Party is for the full and comprehensive control by society of the machinery of state and its unconditional subordination to the law, and for a consistent reduction in departmental norm-setting.

We believe that the creation of a socialist state based on the rule of law also requires urgent practical measures pertaining to a strengthening of legality and law and order and a decisive intensification of the fight against crime, primarily organized crime.

In order to assure the safety of the citizens against encroachments on their rights, life, health, honor, and property we will strive for a fundamental improvement in the work of law enforcement authorities, a strengthening of their material-technical facilities, and the assured legal and social protection of their officers. In the strengthening of law and order it is essential to enlist more actively the work force and the public at large. We consider a paramount duty the Communists' personal participation in a recuperation of the moral atmosphere in all spheres of public life.

The Ukrainian Communist Party supports the CPSU's policy aimed at ensuring the country's reliable defense capability, its internal and external security, and the defense of the Soviet system. We are for a united, renewed Soviet Army, and new approaches in military organizational development on the principles of reasonable sufficiency, with an orientation toward qualitative indicators and gradual professionalization. We are for the high-quality preparation of the youth for performance of its constitutional duty to defend the motherland, an enhancement of the prestige of military service, and the implementation of additional measures to ensure the social protection of and creation of the appropriate living conditions for servicemen released into the reserve and members of their families.

Advocating the building of a state based on the rule of law, the Ukrainian Communist Party directs its political activity toward the establishment in society of profound respect for the law as a social, cultural, and historical value common to all mankind regulating the relations of the state, society, and the individual in a spirit of the ideas of equality and justice.

We see a state based on the rule of law not as an end in itself but primarily as an important means of the creation of a society based on the principles of self-government.



We will endeavor to ensure that the new Ukrainian SSR Constitution, the need for whose elaboration has become a reality, creates firm guarantees of the rights and liberties of the people of the Ukraine and each citizen in accordance with the requirements of the republic's socialist development.

The Ukrainian Communist Party will strive for an improvement in the republic's legislation in the area of:

- assurance of the priority of interests common to all mankind over state and class interests and of the rules of international law over the rules of intrastate law;
- a further improvement in guarantees of the realization and protection of the political rights, liberties, and socioeconomic rights of the citizens;
- the assured freedom of association of the citizens in public, including social and political (based on the Ukrainian SSR Constitution), organizations, legal protection of their independent activity, and the introduction of fundamentally new relations between the state and public organizations;
- the adoption of legislative enactments guaranteeing the impossibility of the creation and activity of parties and organizations inciting interethnic discord, sowing enmity between people, and calling for or resorting to violence.

The Ukrainian Communist Party adheres in its practical activity to harmonizing interethnic relations to the CPSU Platform on the party's nationality policy under current conditions.

The Ukrainian Communist Party considers a matter of immense importance active participation in the building and strengthening of a renewed Soviet federation—a state of free and sovereign republics united on the basis of common goals. It should be based on a new Union treaty on the principles of a voluntary approach and the equality of the nations, which reserve the right to self-determination, including secession.

The Ukrainian Communist Party is firmly convinced that the creation on the basis of a new Union treaty of a strong federative state—the Union of Soviet Socialist Republics—corresponds to the fundamental interests of the Ukrainian people.

Our fundamental line in nationality policy is to preserve and enrich the national distinctiveness of the Ukrainian people and strive for harmony in interethnic relations and the equality of all citizens, regardless of their nationality, language, attitude toward religion, and the length of time they have lived on the territory of the republic.

The Ukrainian Communist Party is opposed to the incitement of interethnic enmity and will struggle decisively against nationalism and chauvinism.

We support the USSR Supreme Soviet declaration on recognition as illegal and criminal the acts of repression

against peoples subjected to forcible resettlement and on assurance of their rights, the Crimean Tatars in particular.

#### **IV. A Renewed Ukrainian Communist Party in the Republic's Political System**

The Ukrainian Communist Party was and remains an internationalist party of a socialist choice. We are aware that under the conditions of political pluralism and competition only a renewed, essentially profoundly democratic party is capable of performing its new role in society and in the restructuring processes.

We understand the renewal of the Ukrainian Communist Party as:

- renunciation of political monopolism and all that made the party an integral part of the authoritarian-bureaucratic system;
- return to it of its proper purpose—being the political vanguard of the people of the Ukraine, effectively influencing all aspects of their life through the Communists in the state and public structures and the work force and seeking the consolidation of all groups of the population based on its program platform;
- revival of the principle of democratic centralism in the Leninist understanding, its cleansing of the deformations and extraneous features of the past and command approaches, and its hierarchical structure, extensive democratization and profound transformations of intraparty life based on party comradeship, pluralism of opinions, and consideration of the interests and positions of the minority combined with high party discipline;
- the supremacy of the party masses over the elective bodies and the apparatus and a real opportunity for each party organization and each Communist to actively influence the formulation and implementation of the party's policy line, the activity of the superior party authorities, the adoption and fulfillment of decisions, and the selection and assignment of personnel of party authorities of all levels.

We are for an improvement in the party structures, a strengthening of interaction between all their components, and transition from a party in which the central authorities determine everything to a party in which the primary organizations are its real foundation and in which they are rid of petty tutelage on the part of the party committees and themselves decide questions connected with their internal life and activity.

The primary party organizations will have the right of final decision on questions of admittance to the CPSU, expulsion from the party, and the formation and utilization of their own financial resources from part of the membership dues remaining at their disposal.

Elections of the first secretaries of the party committees and party organizations at meetings, conferences, and

congresses on a multiple-choice basis by the direct ballot of all Communists or delegates should become a rule of party practice. We believe that the decisive role in the election of delegates to conferences or congresses should belong to the primary party organizations, given the participation of all Communists. We advocate regular republic party conferences, referendums, and debate among the Communists on urgent problems and the final dismantling of the formal-party schedule system of work with the personnel. The delegating of Communists by the party organizations, in which they would regularly render account of their work, should be determined in the formation of the elective bodies and apparatus of the party committees. We defend the production-territorial principle of the composition of the party.

We are for the independence of the Ukrainian Communist Party within the CPSU. While complying with the CPSU Program and Rules, it should be autonomous in all its activity, including the formulation and implementation of a policy line corresponding to the conditions of the republic and the national traditions of the people. The Ukrainian Communist Party itself decides an entire complex of questions—ideological, organizational, and personnel, and of the structure and list of staff, financing, and the creation of research and educational institutions and press organs.

The republic's Communists must express their opinion concerning the need for the adoption of Ukrainian Communist Party rules.

While attaching great significance to a broadening of the independence of the Ukrainian Communist Party, we at the same time believe that this should be dialectically combined with a strengthening of the unity of the CPSU. We oppose federalization in composition of the party and attempts to legalize factionalism and use it to split the party. We see the organizational, ideological, and international unity of the CPSU as an important condition of its capacity for performing its consolidating role in society.

The present social and political situation demands fundamentally new approaches to the organization of ideological work. It must respond adequately to the changes in society through a prompt change in the tactics, slogans, and methods and forms of work of the party organizations. A new, scientifically substantiated concept of ideological work is needed.

Our ideological efforts will be geared to propaganda of Marxist-Leninist teaching and its defense and the molding in the Ukrainian population of high political, moral, and spiritual standards, historical memory, and self-awareness.

Ideological and mass-political work must be in practice a priority concern of each Communist, each party organization, and the whole Ukrainian Communist Party.

The Ukrainian Communist Party supports the principle of open politics and glasnost. The citizens of the republic

have the right to full knowledgeability in respect of all aspects of the social life and activity of the party.

Under multiparty conditions it is necessary to qualitatively alter the content, role, and functions of publications of the Ukrainian Communist Party. They should be wholly subordinated to the interests of the party. Editors of party publications are approved at plenums of the appropriate party committees.

Through the Communists working in the mass media we will ensure an increase in the militancy and ideological maturity of publications and broadcasts and their mobilizing role. Freedom of creativity, journalists' own vision of problems, and extensive glasnost should be organically combined with political balance, competence, responsibility, and objectivity.

The Ukrainian Communist Party advocates assurances affording access to the media to all democratic forces and the right of each public organization and independent-activity association to have its own press organs.

The property of the Ukrainian Communist Party and economic activity are the material basis of its independence and means of defense of the Communists' interests. The Ukrainian Communist Party budget is formed from top to bottom and is uniform. All financial activity, from the primary party organization through the Ukrainian Communist Party Central Committee, will be conducted publicly, under the real control of the party masses.

The Ukrainian Communist Party will organize anew its relations with the unions and the Komsomol [Communist Youth League]—on the basis of cooperation, mutual assistance, dialogue, and comradeship.

We are for the preservation of trade union unity, the independence of the unions, the full development of democracy in their life, an enhancement of their role in the protection of the working people's rights and interests, and the prevention of labor conflicts.

Regarding the Ukrainian Leninist Communist Youth League as an independent youth organization, ideological partner, and immediate reserve of the Ukrainian Communist Party, we will promote the renewal of the Komsomol, a strengthening of its authority, and an enhancement of its vanguard role among the youth.

The Ukrainian Communist Party offers cooperation to all parties, public organizations and independent-activity associations operating within the framework of the law and on the basis of the USSR Constitution for the good of the people of the Ukrainian SSR.

The Ukrainian Communist Party will continue cooperation with the communist, worker, and socialist parties, establish and develop ties to the social democratic and national democratic parties and mass organizations of foreign countries, and advocate mutual understanding and peace between peoples.

The propositions of the draft program principles of the activity of the Ukrainian Communist Party have accumulated the views of the Communists and nonparty people, party and public organizations, and independent-activity associations expressed in the mass media, at meetings, and in working people's letters on key problems of renovation in the republic and in the Ukrainian Communist Party and the proposals concerning ways to accelerate it.

The Ukrainian Communist Party Central Committee submits this draft for the republic-wide counsel of the Communists and hopes for its concerned discussion in the course of the party-wide preconference debate and at report and election meetings and conferences.

We look for the collective opinion of the Communists and nonparty people and of all who are interested in an acceleration of the restructuring processes in the republic and a fundamental change for the better in the life of the people of the Ukraine, and all to whom the fate of socialism and the future of the Ukrainian SSR is not a matter of indifference.

#### **Ukrainian Communist Party Decree on Congress Commission**

90UN1704C Kiev PRAVDA UKRAINY in Russian  
6 Apr 90 p 1

[Resolution of the Ukrainian Communist Party Central Committee Plenum: "On the Commission on Preparation for the 28th Congress of the Ukrainian Communist Party"]

[Text] To form the Commission on Preparation for the 28th Congress of the Ukrainian Communist Party. To confirm the composition of the Commission.

#### **List of Members of the Commission on Preparation for the 28th Congress of the Ukrainian Communist Party**

Nikolay Filippovich Akinin, secretary of Shostka Gorkom [city party committee], Sumy Oblast.

Vitaliy Sergeyevich Anishchenko, party committee secretary of the ferroalloys plant, city of Zaporozhye.

Yuriy Vasilyevich Babanskiy, member of the Military Council, head of the political department of the Western Border District, USSR KGB.

Nikolay Vasilyevich Bagrov, first secretary of the Crimean Obkom [oblast party committee].

Galina Sergeyevna Bereza, section leader, Kolkhoz [collective farm] imeni Dzerzhinskiy, Lutskiy Rayon, Volyn Oblast.

Aleksandr Makarovich Belous, senior shop foreman at the "Red Star" Production Association, city of Kirovograd.

Yuriy Vasilyevich Bratchikov, metal worker at the Kharkov Aviation Plant.

Aleksandr Alekseyevich Bulyanda, general director of the "Azovstal" Combine, Mariupol, Donetsk Oblast.

Valentin Vasilyevich Voloshin, head of the Nature Utilization and Protection Section of the Presidium of the Ukrainian SSR [Soviet Socialist Republic] Academy of Sciences, candidate of economic sciences.

Mikhail Petrovich Galitskiy, radio equipment adjuster at the "Elektroizmeritel" Production Association, city of Zhitomir.

Aleksandr Kondratyevich Glushko, board secretary of the Ukrainian Writers Union, editor-in-chief of the magazine VITCHIZNA.

Vasiliy Trifonovich Gomonyuk, party committee secretary of the Kherson Industrial Institute.

Ivan Grigoryevich Grintsov, secretary of the Ukrainian Communist Party Central Committee.

Ivan Ignatyevich Gubskiy, party committee secretary of the Sovkhoz [state farm] imeni Vasilyev, Vyshtorodskiy Rayon, Kiev Oblast.

Stanislav Ivanovich Gurenko, second secretary of the Ukrainian Communist Party Central Committee.

Yevgeniy Ivanovich Dmitriyev, first secretary of the Chernovtsy Party Obkom.

Gennadiy Petrovich Dolzhenko, first secretary of the Chernigov Party Raykom, Chernigov Oblast.

Sergey Ivanovich Doroguntsov, chairman of the Council for the Study of Ukrainian SSR Forces of Production of the Ukrainian SSR Academy of Sciences, doctor of economic sciences.

Lora Aleksandrovna Yevtushevskaya, grinder-polisher at the "Raduga" Production Association, Lvov.

Yuriy Nikiforovich Yelchenko, secretary of the Ukrainian Communist Party Central Committee.

Nikolay Kuzmich Zadoya, first secretary of the Dnepropetrovsk Party Obkom.

Aleksandr Antonovich Zakharenko, director of Sakhnovskaya High School, Korsun-Shevchenkivskiy Rayon, Cherkassy Oblast.

Andrey Timofeyevich Zonenko, editor of the newspaper PRAVDA UKRAINY.

Vladimir Antonovich Ivashko, first secretary of the Ukrainian Communist Party Central Committee.

Boris Vasilyevich Kachura, secretary of the Ukrainian Communist Party Central Committee.

Ivan Grigoryevich Kirilenko, first secretary of the Magdalinovskiy Raykom [rayon party committee], Dnepropetrovsk Oblast.

Sergey Dmitriyevich Kozhemyako, director of the "Elektromotor" Plant, city of Poltava.

Nikolay Ivanovich Kozyubra, department head at the Institute of State and Law of the Ukrainian SSR Academy of Sciences, doctor of legal sciences.

Anatoliy Ivanovich Korniyenko, first secretary of the Kiev Party Gorkom.

Leonid Makarovich Kravchuk, secretary of the Ukrainian Communist Party Central Committee.

Zinoviy Vasilyevich Kuravskiy, first secretary of the Ivano-Frankovsk Party Obkom.

Ivan Fedorovich Kuras, academician and secretary of the Department of History, Philosophy, and Law of the Ukrainian SSR Academy of Sciences, corresponding member of the Ukrainian SSR Academy of Sciences.

Valeriy Pavlovich Kukhar, vice president of the Ukrainian SSR Academy of Sciences.

Mikhail Mikhaylovich Kushnerenko, first secretary of the Kherson Party Obkom.

Vladimir Ivanovich Makarenko, party committee secretary of the "Krivorozhstal" Metallurgical Combine imeni V.I. Lenin, Krivoy Rog, Dnepropetrovsk Oblast.

Valentin Karlovich Mamutov, deputy director of the Institute of Industrial Economics of the Ukrainian SSR Academy of Sciences, academician of the Ukrainian SSR Academy of Sciences, city of Donetsk.

Vitaliy Andreyevich Masol, chairman of the Ukrainian SSR Council of Ministers.

Yevgeniy Vasilyevich Marmazov, second secretary of the Kirovograd Party Obkom.

Anatoliy Sergeyevich Matviyenko, first secretary of the Central Committee of the Ukrainian LKSM [Leninist Communist Youth League].

Sergey Vasilyevich Melashchenko, party committee secretary of the Black Sea Maritime Shipping Line, city of Odessa.

Mikhail Nikolayevich Moskalenko, first secretary of the Voznesensk Party Gorkom, Nikolayev Oblast.

Anatoliy Konstantinovich Myalitsa, first secretary of the Kharkov Party Obkom.

Valentin Yevgenyevich Ostrozhinskiy, first secretary of the Ternopol Party Obkom.

Leonid Ivanovich Pavlenko, first secretary of the Volyn Party Obkom.

Yevgeniy Grigoryevich Panchenko, director of the USSR Economics Department, Kiev Higher Party School, doctor of economic sciences.

Konstantin Konstantinovich Prodan, affairs administrator, Ukrainian Communist Party Central Committee.

Nikolay Mikhaylovich Popov, second secretary of the Voroshilovgrad Party Obkom.

Aleksandr Sergeyevich Popovich, director of the ideology department, Ukrainian Communist Party Central Committee.

Artur Tikhonovich Poteyev, party committee secretary of Simferopol State University imeni M.V. Frunze.

Aleksandr Antonovich Ruzhitskiy, first secretary of the Cherkassy Party Obkom.

Ivan Mikhaylovich Rusnak, apprentice, Chernovtsy Hosiery Production Association imeni 50th Anniversary of October.

Vasiliy Petrovich Ryabokon, second secretary of the Vinnitsa Party Obkom.

Anatoliy Petrovich Savchenko, socio-economics department director, Ukrainian Communist Party Central Committee.

Nataliya Arsenyevna Sirenko, party committee secretary of the Cherkassy Garments Association.

Nikolay Filonovich Strela, head of the Department of Organizational Party Work and Personnel of the Ukrainian Communist Party Central Committee.

Vladimir Ivanovich Turchin, party committee secretary of the Rovno Flax Production and Trade Association.

Dmitriy Semenovich Falch, foreman at the Mukachevo Furniture Combine, Transcarpathian Oblast.

Vladimir Grigoryevich Fedorov, first secretary of the Zhitomir Party Obkom.

Sergey Alekseyevich Firstov, party committee secretary of the Materials Technology Institute of the Ukrainian SSR Academy of Sciences, city of Kiev.

Grigoriy Petrovich Kharchenko, first secretary of the Zaporozhye Party Obkom.

Valeriy Nikolayevich Chaker, director of the Philosophy Department of Voroshilovgrad Agricultural Institute, candidate of philosophical sciences.

Vladimir Aleksandrovich Sharygin, member of the Military Council, head of the political administration of Kiev Military District.

Valentin Rodionovich Shvets, first secretary of the Kagarlykskiy Party Raykom, Kiev Oblast.

Vladimir Illarionovich Shinkaruk, board chairman of the Ukrainian SSR "Znaniye" Society, director of the Philosophy Institute of the Ukrainian SSR Academy of Sciences.



Yuriy Ivanovich Shkarpetin, party committee secretary of the "Kamenets-Podolskabel" Plant, city of Kamenets-Podolskiy, Khmel'nik Oblast.

### **Ukrainian Communist Party Proposes Draft Statutes**

90UN1716A Kiev PRAVDA UKRAINY in Russian  
7 Apr 90 p 1

[Resolution of the Ukrainian Communist Party Central Committee Plenum: "On the Ukrainian Communist Party Draft Statutes"]

[Text] 1. To evaluate positively the work accomplished by the Politburo and commissions of the Ukrainian Communist Party Central Committee in preparing the draft statutes of the Ukrainian Communist Party. To acknowledge that the principled positions of this document respond to a qualitatively new status for union republic communist parties within the composition of a united CPSU, a status envisioned in the draft CPSU Central Committee Platform and new draft CPSU Statutes.

2. Insofar as various points of view were expressed at the Central Committee Plenum regarding the advisability of having Ukrainian Communist Party Statutes under present circumstances along with the unified statutes for the entire CPSU, the Plenum believes it necessary to study the views of party organizations and Communists of the republic on this matter during the course of discussion of program documents for the 28th CPSU Congress and 28th Ukrainian Communist Party Congress.

The Plenum directs the Commission on Preparation for the 28th Ukrainian Communist Party Congress to generalize these views and submit appropriate proposals for review by the next Central Committee plenum.

### **Legality of Ukrainian Elections Examined**

90UN1717A Kiev PRAVDA UKRAINY in Russian  
8 Apr 90 p 3

[Unattributed article: "In the Ukrainian SSR Procuracy"]

[Text] On 6 April the Collegium of the Ukrainian SSR [Soviet Socialist Republic] Procuracy examined the question of observance of legality while conducting the elections to the Ukrainian SSR Supreme Soviet and local soviets of people's deputies, and also while conducting the first sessions of the newly elected soviets of people's deputies. It was noted that, in the overwhelming majority of oblasts, a great deal of activity and effective organization of voters was seen, and requirements of the Ukrainian SSR Constitution, of socialist legality, and principles of democracy and glasnost were observed during the election campaign, during the elections, and in forming the organs of the newly elected soviets of people's deputies.

At the same time, arriving reports provide evidence that in a number of locations, during both the election campaign and the sessions of the soviets, there were activities on the part of certain deputy groups and social formations aimed at effecting transgressions against democracy, at exerting pressure on the body of deputies so as to satisfy their own political ambitions and, in a number of instances, to achieve extremist and nationalistic aspirations. All of this contributes to undermining legitimacy and law and order, to destabilizing the situation, to encroaching on the rights and freedoms of our citizens.

Thus, at sessions of the Lvov, Ivano-Frankovsk, and Ternopol City soviets of people's deputies, and in a number of other cities in Lvov Oblast, unlawful decisions were made on the use of yellow and blue flags in violation of the USSR Constitution, the Ukrainian SSR Constitution, and legislation on state symbology. On the eve of sessions of the newly elected local soviets, attempts were made by leaders and activists of the Ukrainian People's Movement for Perestroyka, Ukrainian Helsinki Union, and certain other social formations, to conduct unsanctioned rallies and processions for the purpose of exerting pressure on the organs of power in Lvov, Ivano-Frankovsk, and Ternopol Oblasts, and in the City of Kiev. Using yellow and blue and black and red flags, their participants shouted slogans with anti-constitutional and anti-socialist content directed towards undermining the friendship of peoples and the integrity of the Soviet Union. Gross attacks against state organs were permitted.

Calling attention to itself is the fact that the organizers of the unsanctioned rallies and their active participants were certain people's deputies of the USSR, republic, and local soviets, people who, by virtue of their position are primarily responsible for strict observance of the Ukrainian SSR Constitution and Soviet law. Yet they consciously proceeded to violate legislation and ignore it—consequently, they must bear appropriate responsibility.

Justifiable application proceedings have been instituted by the prosecutors of the City of Kiev, of Lvov, Ivano-Frankovsk, and certain other oblasts, before the appropriate soviets, regarding their consent to file charges as stipulated by law against Ukrainian SSR people's deputies I. Drach, M. Goryn, A. Shevchenko, L. Skorik, Z. Duma, B. Rebrik, and several others. Additionally, the prosecutors posed the question of repealing illegal decisions regarding the hanging of yellow and blue flags on soviet buildings. The republic procuracy submitted a proposal to the Presidium of the Ukrainian SSR Supreme Soviet on the repeal of unlawful decisions made by sessions of the Lvov, Chervonograd, Brody, and Ternopol City soviets of people's deputies as contradicting the Ukrainian SSR Constitution and existing legislation.

At the same time, the collegium noted that the prosecutors and law enforcement organs of the oblasts concerned have not always displayed a principled and consistent approach in reacting to violations of the law.

Delays have been seen in bringing the immediate organizers and active participants in unlawful activities to account as required by law. Poor oversight of observance of the law has been exercised in examinations of and reactions to statements and reports of illicit activities during the election campaign.

In order to ensure unswerving observance in the republic of the requirements of the Ukrainian SSR Constitution, and of Union and republic legislation—to include the recently adopted USSR Law "On Strengthening Responsibility for Encroachments Upon the Ethnic Equal Rights of Citizens and Forceful Transgressions Against the Unity of USSR Territory"—the collegium required oblast prosecutors to take immediate and decisive measures to strengthen procuracy oversight, with the aim of protecting the rights and interests of Soviet citizens and the Soviet state, effecting strict execution of the laws in the activity of soviets of people's deputies, and effecting resolute termination of any violations of established procedure for organizing or conducting meetings, street processions, or demonstrations. The collegium has required the prosecutors to bring charges as required by law against the organizers and active participants of actions directed toward undermining lawfulness and law and order, actions which inflame interethnic strife and enmity.

The attention of prosecutors is drawn to the fact that, in accordance with the Law on the USSR Procuracy, they must exercise their authority independently of any and all local organs whatsoever, being subordinate to the USSR General Prosecutor alone. They must take immediate measures to terminate any violations of the law, regardless of who has allowed them to take place.

In connection with the greater frequency we have seen in incidents of ignoring the law, manifestations of regionalism and arbitrariness, and other instances of violation of existing legislation, in order to enhance coordination of the activities of law enforcement organs in eradicating and eliminating such violations, to strengthen law and order and safeguard the rights and freedoms of citizens, the collegium considers it necessary to send a group of officials from the republic procuracy, headed by the Ukrainian SSR first deputy prosecutor, to Lvov and Ivano-Frankovsk oblasts. A group from the republic Ministry of Internal Affairs will also be dispatched to provide assistance to internal affairs organs in maintaining public order in these oblasts.

### Ukrainian Soviets Elect Leaders

90UN1717B Kiev PRAVDA UKRAINY in Russian  
8 Apr 90 p 1

[RATAU report: "Sessions of Oblast Soviets"]

[Text] Organizational matters were examined at the first sessions of a number of oblast soviets of people's deputies, the new convocation.

**Dnepropetrovsk.** On a competitive basis, N.K. Zadoya, first Secretary of the Dnepropetrovsk Party Obkom

[oblast committee], was elected chairman of the oblast soviet. V.V. Bogatyr, serving as deputy chief of the oblispolkom [oblast executive committee] Main Economics Administration, was elected deputy chairman. S.A. Stezhko, serving in the position of oblispolkom chairman, was elected to that same position.

**Zhitomir.** On a competitive basis, V.G. Fedorov, first secretary of the Zhitomir Party Obkom, was elected chairman of the oblast soviet of people's deputies. S.I. Rashevskiy, first secretary of the Luginskiy Party Raykom [rayon committee], was elected deputy chairman. A.S. Malinovskiy, formerly serving as oblispolkom first deputy chairman, was elected oblispolkom chairman.

**Nikolayev.** I.T. Gritsay, serving as oblispolkom chairman, was elected chairman of the oblast soviet on a competitive basis. A.I. Pribysh, head of the defense department of the party obkom, was elected deputy chairman. M.V. Bashkurov, serving as chairman of the Nikolayev Oblast Soviet of Agroindustrial Formations, was elected oblispolkom chairman.

**Odessa.** On a competitive basis, R.B. Bodelan, first secretary of the Odessa Party Obkom, was elected chairman of the oblast soviet. B.N. Strechen, serving as secretary of the oblast soviet ispolkom, was elected deputy chairman. A.I. Butenko, serving as first deputy oblispolkom chairman, was elected oblispolkom chairman, also on a competitive basis.

**Sumy.** On a competitive basis, V.A. Shevchenko, first secretary of the Sumy Party Obkom, was elected chairman of the oblast soviet. V.M. Moskalenko, serving as deputy director of the oblispolkom Main Planning and Economics Administration, was elected deputy chairman. A.D. Bondarenko, serving in the position of oblispolkom chairman, was elected to this position.

**Ternopol.** On a competitive basis, V.Ye. Ostrozhinskiy, first secretary of the Ternopol Party Obkom, was elected chairman of the oblast soviet. Ya.I. Karpyak, retired, was elected deputy chairman. The session is continuing its work—its agenda includes election of oblispolkom chairman and other matters.

**Uzhgorod.** M.Yu. Voloshchuk, first secretary of the Transcarpathian Party Obkom, was elected chairman of the oblast soviet. Yu.A. Vorobets, serving as oblispolkom secretary, was elected deputy chairman. M.I. Krailo, general director of the "Prodtovary" Association of the oblast agricultural council, was elected chairman of the oblispolkom.

**Kherson.** On a competitive basis, M.M. Kushnerenko, first secretary of the Kherson Party Obkom, was elected chairman of the oblast soviet of people's deputies. S.A. Sirenko, serving as director of the obkom Department for Organizational Party Work and Personnel, was elected deputy chairman. The deputies elected A.T. Melnikov to the position of oblispolkom chairman, in which he was already serving.

**Khmelnitskiy.** On a competitive basis, A.N. Popernyak, serving as chairman of Khmelnitskiy Oblispolkom, was elected chairman of the oblast soviet. P.I. Mazharov, secretary of the Khmelnitskiy Party Obkom, was elected deputy chairman. Ye.Ya. Guselnikov, serving as first deputy oblispolkom chairman, was elected oblispolkom chairman.

**Cherkassy.** A.A. Ruzhitskiy, first secretary of the Cherkassy Party Obkom, was elected chairman of the oblast soviet of people's deputies. G.I. Kapralov, director of the obkom Department for Organizational Party Work and Personnel, was elected deputy chairman. V.N. Shapoval was elected to the position of oblispolkom chairman, in which he was already serving.

### More Ukrainian Oblast Leaders Elected

90UN1717C Kiev PRAVDA UKRAINY in Russian  
11 Apr 90 p 3

[RATAU report: "Sessions of Oblast Soviets"]

[Text] Organizational matters were examined at the first sessions of soviets of people's deputies, new convocation, in a number of oblasts.

**Zaporozhye.** On a competitive basis, G.P. Kharchenko, first secretary of the Zaporozhye Party Obkom [oblast committee], was elected chairman of the oblast soviet. V.V. Pokhvalskiy, working as editor of the oblast newspaper ZAPORIZKA PRAVDA, was elected deputy chairman. V.V. Demyanov was reelected oblispolkom [oblast executive committee] chairman.

**Ivano-Frankovsk.** N.M. Yakovina, artist at the Ivano-Frankovsk Arts Production Combine, was elected chairman of the oblast soviet on a competitive basis. B.D. Melinishin, engineer at the local gas and petroleum institute, was elected deputy chairman. D.V. Zakharuk, working as editor-in-chief of the information and advertising newspaper AGRO of the "Prut" Agricultural Firm, Kolomyyskiy Rayon, became oblispolkom chairman.

**Kirovograd.** On a competitive basis, V.I. Zheliba, serving as oblispolkom chairman, was elected chairman of the oblast soviet. V.A. Dolinyak, former oblispolkom secretary, was elected deputy chairman. N.A. Sukhomlin, formerly first deputy oblispolkom chairman, became ispolkom chairman of the oblast soviet.

**Ternopol.** V.M. Oliynyk was elected oblispolkom chairman at a session of the oblast soviet. He had been serving in this position.

### Ukrainian Party Organizations Prepare to Select Congress Delegates

90UN1916A Kiev PRAVDA UKRAINY in Russian  
8 May 90 p 1

[Article by A. Panchenko, Kiev: "A Step Into Democracy: The Republic's Party Organizations Are Nominating Candidates for Election as Deputies to the 28th CPSU Congress and the 28th Ukrainian CP Congress"]

[Text] "For two years the only thing that we have been doing is electing..."

"These election campaigns have exhausted us..."

It was possible to hear remarks like this before the party meeting at the Institute of Metal Physics, Ukrainian SSR Academy of Sciences, which was supposed to nominate candidates for election as delegates to the country's and republic's congresses of Communists.

But the assumptions of party committee secretary O. Shmatko that there would not be a quorum were not justified. Indifference and excessive organization are leaving the life of the party organizations, and the meeting—or, rather, the meetings—at the IMF [Institute of Metal Physics] reconfirmed that tendency.

Before making the nominations, the institute Communists discussed the question of how many persons to delegate. The proposal had been made to nominate one and the same person to the city's party conference and both congresses. The meeting agreed with that.

In and of itself, the idea has the right to life, but would it be desirable, under conditions of sharp competition, to limit oneself that way? It is necessary to take into consideration the fact that participation in the work of congresses is a good school for every Communist and, speaking in purely human terms, it is no simple matter to get through three such political universities. Incidentally, the Communists themselves subsequently rejected this idea themselves.

But at the first meeting, four candidates were named. It was necessary to elect one.

Yu. Meskhov, former party committee secretary at the institute, giving as his reason his busy schedule and the state of his health, withdrew his candidacy and called upon his adherents to support the candidacy of V. Ye. Ponomarenko, deputy party committee secretary.

Department head P. Ryabko also declined to run. The fourth contender—V. Baryakhtar, vice-president of Ukrainian SSR Academy of Sciences, and former institute director—was unable to come to the meeting, because the commission on Chernobyl was working at that time.

What was to be done? All those present were well acquainted with the deputy secretary and the academician. At first a proposal that sounded logical was to change over immediately to the voting, without any

discussion. In another situation that is what would have been done. But today, having received the right to vote, and thus having accepted the responsibility for affairs in the party, the Communists deemed it necessary, before making their choice, to compare the programs and political platforms of both contenders.

That is why they decided to meet once again. Incidentally, the physicists were not alone. The conference was also held in two stages at the Elektronmash Production Association.

Unfortunately, the academician was also unable to come to the second meeting. In that situation the meeting decided to reject its initial idea concerning one representative and to continue the nominations. As a result of a discussion that lasted many hours, the following persons were named by secret voting as candidates for election as delegates from IMF: to the city party conference and the CPSU Congress, V. Ponomarenko, deputy secretary of the institute's party committee; and to the Ukrainian CP Congress, senior scientific associate P. Volosevich.

A vote-counting commission was also formed. In the middle of May that commission will have to hold the election and transmit the election results to the okrug electoral commission. It was decided to hold the voting in Kiev in the primary party organizations.

How did the first stage of the election campaign go, for the rayon as a whole? That was discussed by V. Sukhanitskiy, secretary of the party's Leningradskiy Raykom.

"We began the preparation for the election with the creation of a working group. That group, summarizing the opinions of the primary organizations, conferred with the secretaries and party group organizers, and worked out recommendations for conducting the campaign," Vladimir Aleksandrovich says. "As a result of a stormy discussion, the majority of the Communists in the rayon stated that they were in favor of conducting the election by single-mandate okrugs."

The raykom's organizing role also lay in attempting to help the small-sized primary organizations to unite in order to nominate their candidate, because, in the rayon, out of 192 primary organizations, only 31 can independently name their own delegates to party forums.

Enterprises with approximately the same number of voters attempted to unite, to prevent the larger organizations from dictating their will. For example, we formed party groups of teachers, medical workers, workers at small industrial enterprises, and workers in transportation and vocational-technical education. All of them received the opportunity to nominate their candidates for election as delegates.

Our rayon has at its disposal four mandates to the CPSU Congress and eight to the republic party congress. According to preliminary information (in certain party organizations the election is not yet over), 16 persons are

contending for the trip to Moscow, and there are more than 50 candidates to go to the congress in Kiev.

"In whom have the Communists put their trust?"

"In the leaders, in the people who enjoy authority and respect—that is unambiguous. As for the social makeup, which we now simply record, rather than regulate as we used to, administrators and specialists with higher education predominate. One-third of the nominated candidates for election as delegates to the CPSU Congress are members of elected agencies or are relieved party workers, including raykom first secretary B. V. Solodatenko. There are almost no laborers."

"How do you explain that?"

"In the complicated situation that was created in the country—and Kiev is no exception—some of the workers have got completely confused. The abundance of information, the rapidity of the political processes, and the large number of alternatives complicate their analysis and understanding. Engineer-technical workers and people with higher education become oriented more quickly and proved to be better prepared for the political struggle. That is on the one hand. On the other hand, Communist workers are also voting for their candidates, realizing that a party that is situated at a turning point must mobilize its entire intellectual potential."

Take, for example, the Kiev Aviation Production Association. It employs thinking workers, and worker intellectuals. But the labor collective nominated for election as delegate to the city party organization and to both congresses its own party committee secretary, D. Bolgarov, who had recently been elected raysoviet chairman. Was that unusual? Yes. But I do not see anything awful about that. The Communists should be allowed to think and decide for themselves.

"The present campaign is being conducted in a compressed period of time. How do you visualize the pre-election agitation under these conditions?"

"The experience of elections to the soviets attests to the fact that the greatest effect is produced by personal meetings with the voters and by speeches made over the television. So that means that the candidates and those who nominated them will have a bit of work to do. And also, of course, there is not a lot of time and that might have an effect on the election results—there is a large element of randomness."

Nevertheless, I consider this method of electing congress delegates to be correct and democratic. The Communists are putting their trust in those who are truly the best. Approximately one-third of the candidates are new people. We know them as experienced administrators and talented scientists and engineers, but, if we may put it this way, they have not distinguished themselves in party life. This gives food for analysis and thought.

The candidates for election as delegates have two very strenuous weeks of an election struggle ahead of them.



**Sobchak Views Baltic Independence Drive**

90UN1792A Tallinn SOVETSKAYA ESTONIYA  
in Russian 25 Apr 90 p 2

[Interview with people's deputy Anatoliy Sobchak, member of the USSR Supreme Soviet, by special correspondent Vyacheslav Ivanov: "Not Discussed at The Session"]

[Text] Our special correspondent Vyacheslav Ivanov reports from Moscow:

The third session of the USSR Supreme Soviet went on as usual: passions in the auditorium, on the podium and in the hallways fell and rose continuously. It was not surprising since a timely issue, the case of Gdlyan and Ivanov, was being discussed. In front of the "Moskva" hotel, a marathon rally in support of the two investigators and deputies was going on for two days, while in the far end of Aleksandrovskiy Garden beefy fellows from the OMON passed the time in their jeeps—just in case.

Meanwhile, in the building of the USSR Supreme Soviet Presidium, far from the all-seeing eye of television cameras and microphones, events were taking place that not only equaled the Gdlyan-Ivanov case in importance but could even be superior to it.

The day I spoke with Anatoliy Sobchak, people's deputy and member of the country's Supreme Soviet, a meeting was being held at the meeting hall of the Presidential Council between Arnold Ruutel, chairman of the Estonian SSR Supreme Soviet; Edgar Savisaar, chairman of the Estonian SSR government; Endell Lippmaa, Estonian SSR minister, and other representatives of Estonia with members of the Presidential Council. It was the first meeting in yet another round of dialogue between Estonia and the center. It was the subject of our conversation.

[Correspondent] Anatoliy Aleksandrovich, what do you, a lawyer, think of the legal aspect of the path which the Baltic—and Estonia in particular—have chosen for its national independence?

[Sobchak] In principle, I see the process that is currently under way in your region as totally legitimate. It had to happen. The interests of almost all nationalities of this country have been neglected for too long. All of us, regardless of nationality, have been hostages of that system and cogs in its machinery for too long. So I think that a totally objective and legitimate process is under way.

No one doubts the right of Lithuania or Estonia to independence, from the point of view of both their history and current realities. For the republics to leave the union they should not need the decision of any state entity of the union. This is completely up to the people of the individual republic.

[Correspondent] But here is one detail: when you speak of the people, do you mean representatives of the indigenous nationality or everyone living in the republic?

[Sobchak] I mean all residents living on the territory of the republic. Let us base our actions on processes which occurred when parts of the old British Empire or former French colonies gained independence. There, no one ever thought, when the decision on independence was being made, to poll only representatives of the original, or indigenous ethnic groups.

[Correspondent] But I think that in New Caledonia only the aborigines were allowed to take part in the referendum.

[Sobchak] I know nothing about New Caledonia, in all other overseas possessions of the colonial powers, everyone who lived there took part in deciding the issue of independence. This is the only normal and democratic principle for solving such issue. The people means all those who live in an area.

[Correspondent] I still think that we need to set one condition: we are speaking of those who think of that land as their home and are tied to it by spiritual bonds.

[Sobchak] We can bring up various new conditions all the time, but I think that the Russians who have lived in Estonia for many years—no matter what made them settle there, be it their personal choice or a job assignment after college—if they have become adapted in the new place and raised children there, they have as much right to consider themselves residents of the republic as all the rest.

[Correspondent] We have coined a new term for such people: Estonia landers.

[Sobchak] You see? Terms may differ but the meaning remains the same: that land is just as native to those people. Of course, certain policies were once used to achieve what I would call ethnic dilution. But there were objective processes, too. In Estonia, for instance, higher education institutions could not train specialists in every field needed by the economy. They did not want to.

[Correspondent] But, in any case, the people themselves were not at fault that their lives developed in a certain way.

[Sobchak] Precisely. Are the not-so-nice words that are being used against those people in Lithuania and Estonia applicable? I do not think it is proper. Distortions rising on the wave of the national idea contradict human principles and norms. That at a time when we have based the renewal of our society on the primacy of human norms, concepts and rules over narrow national, party or class ideological concepts and norms, which is the essence of perestroika.

But let us go back to the main topic of our discussion. Let me repeat: there can be no doubt whether or not republics can have their independence. We can only speak of

how it may be attained. Today, much happens at the level of symbolic gestures and decisions which can not be implemented.

I think that to gain true national independence certain economic, cultural and other conditions must be met. It is a rather lengthy process. This is why legislative steps being taken by the republics must be bolstered by negotiations with the central government, with all controversial issues decided together.

I think it would be much easier to do so for Estonia than for Lithuania, for instance, since there are no complex territorial issues at stake there. But it will not be very easy, either; yet, negotiations can resolve all problems. Except you should carefully calculate all economic, political and other costs of leaving the Soviet Union.

I know that many Estonian politicians count on Estonia playing the role of a connecting link between the East and the West and, by charging commissions, earning the great profits needed to provide prosperity and high living standards to the people. I think that they should understand that this is not going to happen in the current situation.

I think that Estonia will attain independence only if it does not cut the numerous bonds that took decades to build. Estonia has a vital need for raw materials and finished goods from the union and it can sell to the union what is not produced in other regions. Some time later, when market principles come into full force in your republic, the situation might change, but it will take years if not decades. Today, Estonia is more dependent on the union as an export market than the union is dependent on what it gets from Estonia. You must be totally realistic about this.

I think that it is appropriate here to talk about preserving confederate principles in the structure of the union. I think that if we had been more agile a year ago and passed confederate principles as the basis for the country's government structure at the First Congress of Soviets, many of today's problems would have been resolved. We have come to it anyway. Because the things that Gorbachev has told the Lithuanian parliament and people in his appeal—about the differential approach in agreements between Lithuania and the Soviet Union—in fact constitutes a confederacy. When a **special agreement**, as opposed to a general one, is concluded with every member of a union of states, one that may be different from conditions contained in agreements with other republics, this is no longer a federation. The option of leaving the union is also a confederate principle. In the past, this option was purely hypothetical, declaratory and not supported by any legislative act, and that was called federation; yet, it was a slogan without content. Today, a real secession mechanism exists. No federation in the world admits of the possibility of any part of it seceding. This is why I no longer see any need for a total break between Estonia and the Soviet Union. To preserve certain bonds within a confederation framework is

in the interests of the Estonian people. This entails security guarantees, economic reasons, etc.

[Correspondent] Anatoliy Aleksandrovich, what is your opinion as a jurist about the fact that many supporters of Estonia's unconditional secession from the USSR think that the law on secession which was discussed in the USSR Supreme Soviet does not apply to Estonia since it never joined the USSR voluntarily. The decisions of June, July and August of 1940 were forced upon Estonia and in essence its entry into the USSR was an act of annexation and occupation. What can you say about this?

[Sobchak] I am familiar with this view. At the recent congress of soviets it was stated by one Baltic deputy. (I do not remember exactly by whom.) He said that since there had been no marriage, there was no need for a divorce.

As a lawyer I could take up this comparison and say that this line of reasoning is theoretical and scholastic in nature. Even if a marriage is neither registered officially nor entered into on a purely voluntary basis, still, if as a result of long cohabitation spouses acquire joint property and have children, the marriage is considered legal. Tell me please, what should be done with these 50 years that Estonia has been part of the USSR? True, in 1940 the U.S. and Great Britain did not recognize the entry of the Baltic states into the USSR. But those same powers, during the postwar re-drawing of the map of Europe, recognized de jure and de facto the existence of the Baltic republics within the USSR borders.

So, legally or not, the marriage was concluded and, in lawyers' parlance, is legally valid.

Let me stress once again that we must deal with reality. Indeed, it would be naive to call the entry of Estonia, Latvia and Lithuania into the USSR purely voluntary. But it would also be wrong to consider it pure occupation. There is nothing **simple** in history or in life. Things are much more complicated in reality than when presented by supporters of extreme views. History has taken place and cannot be altered.

[Correspondent] Anatoliy Aleksandrovich, even during our preliminary conversation you said that methods for achieving national independence for Estonia should be worked out jointly. What did you mean by that?

[Sobchak] I meant the proximity of Estonia to Leningrad Oblast. We must discuss all steps in concert. The Leningrad region is the closest of Estonia's neighbors. Leningrad is now embarking on the path toward complete economic independence and we intend to create an open economic zone and to shift our entire economy to free market principles. I think that we have many interests in common in this area, which we should work out directly and not through Moscow.

Leningrad has a powerful research and production potential and makes many things that are not made in

Estonia. Estonia, on the other hand, has the food products that Leningrad needs so badly. Perhaps in the very near future we will have a joint program of solutions to problems that beset our common region. I do not exclude the possibility of signing long-term contracts on joint actions in various fields. Both Estonians and Leningraders will benefit from this. I have already entered into agreements in principle with many Estonians whom I know personally. It is easier for me to conduct such negotiations since I know many Estonian specialists and took part in developing your IME [Self-Managing Estonia] program.

There is time for everything. We must not force or anticipate events. Like any business, politics has its own pace and cycles. We, on the other hand, have grown used to completing projects on the eve of the November 7 anniversary of the revolution. Later, we invest enormous sums and do extra work to correct defects in construction. A certain haste in completing the independence project for the republics reminds me of such speedy work methods.

[Correspondent] A character in the film "Mertvyi Sezon" says that by bringing together nine pregnant women you can not force the baby to be born in a month. Still, do you not agree that the laws and declarations of independence being passed by the parliaments in Lithuania and Estonia, despite their apparent lack of substance, could play a positive role and become something of a catalyst precipitating the solution of the problem at the union level?

[Sobchak] Yes, I think so. From this point of view, there can be no doubt about their usefulness and positive role. It is important, however, to make sure that it happens without infringing on the rights of other nationalities living in the republic.

[Correspondent] Thank you very much for an interesting conversation. I wish you success in your parliamentary activities.

### **Russian Opposition in Estonian SSR Supreme Soviet Session Described**

90UN1503A Moscow SOYUZ in Russian No 14, Apr 90  
p 2

[Telephone report, dated 4 April 1990, from Tallinn on Estonian SSR Supreme Soviet Session by Leonid Levitskiy, IZVESTIYA's own correspondent: "Estonia: Concealed and Obvious Mainsprings"]

[Text] Already for a week the session of the Estonian SSR Supreme Soviet of the 12th—and as some deputies insist, the last—convocation has been working. It is working on the basis of a new pattern—the pattern of a constantly functioning parliament.

No one even supposed that already on the first day, at the first meeting of the session, a sharp demarcation will take place.

It would seem, the first days are days of organizational efforts. But the mainspring of internal opposition came untwisted with inconceivable speed. The leader of the election coalition of the Popular Front, E. Poldroos, during the first minutes, proposed the additional inclusion in the agenda, of a whole set of very important documents: Declarations "On Cooperation with the Congress of the Citizens of Estonia," "On the State Status of Estonia," "On the Symbolism of Estonia," and "On the Provisional Procedure of the Government of Estonia." And although they nevertheless postponed the discussion of the documents somewhat, an atmosphere of needless quick temper and distrust developed at once....

The next day it thickened. In a normal situation the parliament succeeded in electing only the Chairman of the Supreme Soviet and the speaker. A. Ruutel and Yu. Nugis were elected. But then passions flared up again. There was practically no discussion of the most important document—the declaration on the state status [of Estonia]. The declaration not only was not adopted, but also developed into a decree, which immediately enters into force.

What is the new legislative act about? It asserts: The territory of Estonia has up to now been unlawfully occupied and the power of the USSR in it is illegal, that the restoration of the lawful authority of the Estonian Republic is beginning. For this, a transition period is proclaimed, during which constitutional organs will be formed.

The deputies from the Popular Front explained the extraordinary hurry by the necessity to help Lithuania. To which V. Lebedev noted: "The Popular Front has kept its promises to Sajudis, but will the Estonian people receive for this?"

V. Malkovskiy, the secretary of the independent Estonian Communist Party, spoke on behalf of the deputy group "For Equal Rights." He read out the declaration. It stated: The question of the withdrawal of the republic must be solved only through a referendum, with the adoption, by a mechanical majority, of decisions which are aimed at the unilateral change of the state system of the USSR. In the okrugs, where these deputies are elected, such acts will not be carried out.

The protest of the Russian language deputies (and they did not take part in the voting) was called undemocratic—they say, they do not subordinate themselves to the opinion of the majority.

"The law on elections to the Estonian SSR Supreme Soviet originally guaranteed a qualified majority to the rural, that is the Estonian population, in the village a mandate to the parliament "cost" 3-5 times less than in the city," S. Petinov, a deputy, a member of the committee for the defense of Soviet power and civic rights, explains. "Even the refusal of all Russian-speaking deputies to participate in the voting does not change anything. Everything was done in order not to permit a

"referendum" in the parliament. But not only the congress of citizens and the committee of Estonia are operating in the republic. There is also the committee for the defense of Soviet power. We have hundreds of thousands of inhabitants behind us. And we are able to defend their rights and dignity...."

March 30 is the day of the adoption of the decree on the state status, the beginning of the "transition period." But already on 1 April, an extraordinary session of the Sillamäe City Soviet recognized the decree on the state status as invalid. While this information is being transmitted, the work of the session of the Estonian SSR Supreme Soviet continues. By a majority of votes, 54 out of 105, E. Savisaar was elected chairman of the government. The declaration of the Estonian SSR Supreme Soviet on the restoration of the independence of the Lithuanian Republic also passed by a majority.

The work of the first session of the Estonian SSR Supreme Soviet and the decisions taken by it called forth extremely contradictory responses in the republic. The amplitude of public opinion: From complete support—to complete rejection....

### **Estonian Citizen's Congress Viewed**

90UN1503B Moscow SOYUZ in Russian No 13.  
Mar 90 p 13

Article by Leonid Levitskiy, IZVESTIYA's own correspondent: "A Direct Question: What Next, Citizens of Estonia?"

[Text] The Estonia Concert Hall on 11-12 March received the delegates of the citizens' congress of the republic. The handsome distinctive building reminded one of a beleaguered fortress, observing some holiday. A multitude of national flags and long lines—into the whole quarter—of good fine fellows. These are the first lines, the first open action of Kaytsel'iyt—the Estonian Defense Alliance—in the last 50 years. The para-military organization, disbanded in 1940, has been re-created again. In all the rooms of the Estonia, there is still another barrier—the guards of the security service of the Popular Front, with handsome (they say, silver) badges on their chest. The next day, VECHERNIY TALLINN reported: "They came to defend the old center of culture and the security of the delegates."

Against every enemy, internal, external, a double system of protection—if we do not also consider the state system—is set up? Who is making attempts on the life of the delegates representing the entire republic? More precisely—which republic are the delegates who did not gather at all for a concert, since the congress of citizens does not have, and cannot have, any relationship to the Estonian Soviet Socialist Republic. The point of self-determination, the counting out of positions, the attitude of its delegates to the past, the present, and the future is categorical—the Estonian SSR as such is not, was not, and will not be.

They assert there is a territory temporarily occupied by the Soviet Union. Legally the former Estonian Republic continues to exist even after June-August 1940. After the events which led to the creation of the Estonian SSR and its entry into the USSR. Thus, the citizens of that republic retain their citizenship, transmit it through inheritance to their children, their grandchildren, regardless of where they would live. Now the time has come to join *de jure* and *de facto*, to restore the restored statehood and the whole fullness of the competence of the Estonian Republic. This is the right and the duty of its citizens.

It turns out, the barriers are against citizens of the Estonian SSR? I have become quite confused: Against those citizens of the Estonian SSR who are not citizens of the Estonian SSR? A riddle within a riddle.

...The population of Estonia is over 1.5 million people. Of them, 940,000 are Estonians and more than 600,000 are "non-Estonians," such a term is most commonly used. Or *Estonozemeltsy* [not further identified]. Now I will apologize beforehand for the quotations. "The people of various nationalities living in the republic are in many respects very similar.... And this is because they are Soviet people" (Academician Yu. Kakhk, "Cherty skhodstva" [Traits of Resemblance], Tallinn, 1974). "The successful solution of the tasks that have arisen before the party and our entire people will be conducive to the further unity of the unbreakable union of all nations and nationalities of our Fatherland on the principles of Soviet patriotism and socialist internationalism" (A. Ruutel, chairman of the Presidium of the Estonian SSR Supreme Soviet. From the book "Velikiy Oktyabr—nashe proshloye, nastoyashcheye, budushcheye" [The Great October—Our Past, Present and Future], Tallinn, 1988).

I am not at all writing in order to confuse anyone. All of us by origin are from the past. And it does not pay to forget this, especially when the question is not the individual man, but social, national groups and strata. At least one needs to take into account: On what history and science, on what example was that non-indigenous population brought up which for various reasons came to the republic? But, as Yu. Kakhk has demonstrated to the entire world, not at all harmful to this tiny piece of land between the Baltic Sea and Chudskoye Ozero. Not in the name of its Russification—to live and to raise children. They came as equal citizens of the USSR, the Estonian SSR. They were summoned by the Estonians to shovel aside the ruins of the war and to erect projects for the Olympics, too. Estonians, too, taught them their history. Not all? Undoubtedly, not all. But not all today agree with the Supreme Soviet of the republic, which half a year ago recognized as illegal the elections of the State Duma and all of its activity. Including also the declaration concerning the entry into the USSR.

The majority of non-Estonians find it difficult to perceive this 180-degree turnabout as a natural development of restructuring. Moreover, until quite recently, the



Estonian CP Central Committee gave assurance: A sovereign republic in a renewed federation. Gave assurances of the equality of all people living here.

The turnabout split: The detachments which had been prepared and were waiting succeeded in turning around. They say, previously, too, there was no single order—force and fear restrained in it. But not everything, apparently, so unequivocal. On the eve of the session of the Estonian SSR Supreme Soviet (November 1988), the staff of the Popular Front discussed the tactic of the conduct of deputies—their confederates. Should they limit themselves to the adoption of a declaration on sovereignty or try to attain a proclamation of the idea of withdrawal? The majority of the members of the Council of Representatives insisted: It is early, premature. It is necessary for the word "withdrawal" to become customary. For the people to perceive it on a level with the words "bread, land, and life."

A really Marxist approach: The idea, having seized the masses, solves everything. And the collection of ideas being proposed at any meetings, whatever organization carried them out, was repeated with different tension. The historical orientation and affiliation of the Estonian people to Europe. The occupation, which interrupted the natural development of Estonia. The necessity of its own statehood as a condition for the preservation of the nation. The masters of this land are Estonians, those who have come to it are uninvited tenants, illegal migrants.

"At first we will take away the dramatic nature of the consciousness and the psychology of the Estonians. Then—of all the others," this is how they depicted the calming of society. The right of the people—to assess its history, to plan its future. To deny it. But there are no rights without responsibilities. Justice requires also the consideration of the rights and interests, and respectfulness for the people who for decades have been living next door. And they did not try to convince them with the truth, they hurried to conquer with it.

Politics, which has absorbed the whole diversity of life, has developed into all-permissiveness. With bewilderment, resentment, and malice they talk in the plants about the leader of the Popular Front, the minister of economics, E. Savisaar. He angrily argued: The labor collectives of the union plants, doubting the reasonableness of the transitions of the enterprises to republic subordination, are torpedoing the IME [Self-Managing Estonia]. Yes, under his direction, dozens of scholars and economists last summer polished the conception of the IME—of a "self-managing [samokhozyaystvennaya] Estonia"—before its discussion in the USSR Supreme Soviet. And simultaneously many of those same scholars, with the minister of economics at the head, prepared an "Account Book"—a book of debts and compensations of the Union, ensuing from its composition of Estonia, on the lips one thing, in the hearts another....

"It is impossible to utilize the West European form of discussion in an Asiatic parliament. We must explain our principles to Moscow and to Russia in the language they understand. For Estonians, one needs to speak another language. We must inspire (!) the Estonians with staunchness, the feeling of being boss. For the Estonians to feel that they are the masters here. And what they decide is for Estonians. And their decisions are obligatory for these thousands as well...."

T. Made, USSR people's deputy, a former communist, and organizer of the party of entrepreneurs, is frank, categorical, there is no sense in being sly anymore. Nevertheless, the populist formula "the master is a migrant, a tenant" is for the meeting. In a policy oriented "to Europe", the formulas humiliating the rights and merits of people of another faith, nationality, or other convictions will not pass for a long time.

More gentle, more attractively, the call of the National Independence Party and the radical national groups adjoining it—to create citizens' committees of Estonia. Those who lived in it prior to 16 June 1940, the day of the entry of the Red Army. The slogan is sort of alien to national and other preferences, but in actual fact—this is only the Estonian population. After the war there remained almost no people of other nationalities—only about 4 percent. True, persons who support state independence may be registered as "aspirants to citizenship." The aspirant will receive a final answer after the restoration of independence. The right to decide the fate of the republic is becoming the exclusive right of the Estonian population. The words are gentle, the essence is the same as with Made.

The main committee of the republic has declared itself to be the only legal successor of the legal authority of the Estonian Republic. The Estonian SSR Supreme Soviet and the government elected by it—as an occupation administration. A quite surprising fact, impossible for any state which takes into account its constitution and which respects all of its citizens and tax-payers.

What has changed in the political sea with the appearance of the citizens' committees? They did not become still another squadron more: The sailors of already drifting squadrons became more closely united. The blinds were drawn more vigorously. Estonia made a sharp turn to the right—in the opinion of some. In the opinion of others, a path to independence, to the restoration of the republic, was defined.

The meeting of people's deputies (it took place in Tallinn on 2 February) confirmed the point of view of both the former and the latter. SOYUZ has told about this meeting of deputies of all levels. And has noted that some of them—the representatives of Kokhtla-Yarve, Narva, Sillamäe, and the labor collectives of Tallinn—as a sign of protest, formed the committee for the defense of Soviet power and civil rights.

"During the past 4 decades, many people of other nationalities have come to Estonia. They now constitute

approximately 40 percent of the entire population. However, they do not have and must not have the right to decide the fate of Estonia..." A. Ruutel, the chairman of the Presidium of the Estonian SSR Supreme Soviet, declared. The discussion with him was published in a special issue of the newspaper of the main citizens' committee of Estonia on the eve of the congress. It, like a tub of cold water, fell upon the indigenous people, naturally, even those very far from politics. Up to now they believed in the objectivity of the intelligent, gentle, and tolerant, as befitting the president of the state, A. Ruutel. I will not risk to repeat what I heard in the plants—it is time to put an end to the hysteria. The Russian-speaking population was granted the choice of three variants: To obtain citizenship of the future Estonian Republic, to live in it being the citizen of another state, or, by their own desire, to leave—such a formulation of the "Russian policy" was heard at the press conference with the participation of the leaders of the Estonian Communist Party, the Presidium of the Supreme Soviet, the government, and the social movements.

As in the old Russian story, a stone at the center point of three roads. Why in life, not in the story, the fourth one has been removed?

Many believe that the fourth road has been withdrawn from all the "non-citizens of the Estonian SSR" purely for political reasons—otherwise it leads inevitably to a referendum. To the right for all who live in Estonia today to determine its future and their own fate.

The preparation for the citizens' congress accelerated and intensified the registration of citizens of Estonia and "aspirants." Some hurried for reasons of convictions, others—because of the calculation of getting themselves entered into the lists of the future. Disturbing were the warnings at the highest level. A member of the main citizens' committee, the American professor R. Taagepera, asserted from afar: Aspirants who registered prior to 15 March will be granted citizenship without special conditions. Additional troubles, naturally, await those who are late. This is no joke. I am not in the mood for jokes. An elderly woman turned to the correspondents' center—45 years ago she liberated Tallinn from the fascists.

"Agitators are coming to us, old folks, and propose to help us compose a petition for citizenship in the Estonian Republic. Otherwise we will remain without pensions..."

They pulled the wool over the eyes of many. The Minister of Social Security officially refuted the "agitators."

In the elections to the Congress of Estonia, 557,000 citizens and 34,000 aspirants to citizens took part. Then the delegates of the congress excluded from the draft document the words to the effect that they were elected democratically. And for the voting, and it went on for almost 2 weeks, 16-year old children were called up. For

this reason, the special preciseness and correctness of the figures do not have any significance. But no less than 70 percent of the Estonians supported the congress. They also approve the decisions adopted by it. The congress declared itself as the bearer of the highest state power. The activity of the Supreme Soviet and the government must be subordinated to its decisions.

Judging by the documents, the congress really did assume state power in full. The delegates confirmed the declaration of the state border of the Estonian Republic, about the occupation troops of the Soviet Union, on the citizens of other states living in Estonia, the appeal to the USSR Supreme Soviet and to the United Nations. The essence of the documents? To include on the agenda of the UN General Assembly the question of the restoration of the Estonian Republic. The USSR Supreme Soviet is to urgently begin negotiations with the representatives, authorized by the congress, about the recognition once again of the Estonian Republic on the basis of the Tartu Peace Treaty. In so doing, the congress regards it as expedient to establish a transition period and to invite to Estonia international forces for the maintenance of peace. To restore the border with the RSFSR in accordance with the Tartu Treaty, to return part of the territories, that is territories which later were passed to Russia.

What did the delegates of the congress promise the non-indigenous population? "Citizens of the USSR, who have settled in the territory of the Estonian Republic, do not automatically acquire its citizenship, but they are given the possibility of applying for its receipt. Only "the lawful government" has the right to decide questions connected with citizenship. Always the same: Wait for the decision of fate."

Is it realistic to search for the keys to all the problems in foreign capitals and in Moscow? In the opinion of sensible politicians, they are here, on Estonian soil. These are trust, support, and the community of fate with those 600,000 non-Estonians—whether their presence is liked or not. The congress somewhat toned down only the policy line of the citizens' committees with respect to the elections to the Supreme Soviet. The elected committee agreed to cooperation with it. Why? The center hardly enters into a dialogue with an unconstitutional organ, alternative to the lawful representation of the Estonian SSR. "It would have been extremely useful, if... the Estonian congress and the Supreme Soviet had acted jointly before the elections of the State Duma, having divided the obligations between them."

"March 11 (the day of the beginning of the work of the congress) is the first day of our free future"—one of the newspapers proclaimed. But on 14 March a meeting of 40,000 people was held on the square of Vabaduse at the call of the committee for the defense of Soviet power. Its participants declared their disagreement with the future prepared for them and called the 2 days of work of the congress as an attempt at coup d'etat."

"We declare that we will not carry out decisions pertaining to the life of the republic that are taken without the participation of the committee," the resolution states.

In a day, the National Front held a meeting in this same square, with fewer people, but more emotional and more strongly-worded. For the time being, the square of Vabaduze-Svoboda remains the arena of opposition. But the USSR people's deputy V. Yarovoy, the chairman of the committee for the defense of Soviet power, warned:

"Our meeting is the last attempt to defend our human and civil rights."

The USSR people's deputy E. Savisaar made a still tougher declaration:

"The war of liberation has begun....The path will be difficult, you cannot manage without victims."

Will everything be limited to a war of words? I recall the lines of Kaytseliyt which stretched around the Estonia Concert Hall. In response, the formation of detachments of workers' self-defense began in the plants. The concentration of energy is always fraught with spark-overs and short circuits. The list of victims has already been revealed not by speakers calling for war. For the time being, the first victims are 18-year old young lads in soldier's uniform. Sentries, who are fired on, who have home-made bombs thrown at them. For the time being, there are few such cases. But the already exist. . . . And they compel us to ponder. Opposition is a reality. They try to convince us that the dividing barrier are not national, but political convictions: The opposition of those who are for a free Estonia and those who defend "the empire." Even let it be so. Agreed, let them be not national communities, but political camps. All the same, citizens against citizens.

A peculiar pluralism of power: The committee for the defense of Soviet power, the Estonian SSR Supreme Soviet and its presidium—the Congress of Estonia and the Committee of Estonia elected by it. This is if we count from left to right. One can also enumerate from right to left—no fewer problems remain. For the time being, hope rests on the lawful Supreme Soviet elected in accordance with all the canons of a multi-party system. In it are represented the leaders of all the movements. Perhaps, they will concentrate all their strength on the parliamentary battles and forget about the others....

What is a "Russian policy" to be like? There are many suppositions and prognoses? For the time being, I have not encountered one—it must be a Russian one, one for all. The step-by-step strategy has collapsed, having buried the debris of hope for tranquillity. The Estonian Communist Party became convinced of this once more at the recent congress.

More than 40 persons spoke at it. And the majority of the speakers spoke for themselves, for their fraction: The congress revealed "the secret" of their existence. They

talked, without listening to the words of their opponents. Only once, a delegate from Tartu responded to the proposal of a speaker from Narva.

"If we agree to a coalition party, then parity representation of fractions in the leadership is really necessary. In order to avoid misunderstandings, I propose to every fraction to elect their representatives to the Central Committee."

Alas, at the congress everything is taking its normal course. The minority, the delegates of the party organizations of the large plants, regarded every initiative of the majority with distrust. The majority took decision after decision—the votes were sufficient for this. Thus the "Program of the Estonian Communist Party in New Conditions" was adopted. This is already the program of another party, and not a republic organization of the CPSU. Then the declaration of the congress, the telegram in support of the actions of the Supreme Soviet of Lithuania. This same majority did not "admit" into the Central Committee the leaders of the factions which came out in favor of the preservation of unity with the CPSU.

The "misunderstanding", at which the delegate from Narva hinted, took place. The coalition of the two—in terms of basic propositions—close associations under one roof did not take place. The programs of both parties agree in the main thing—the question of the withdrawal of Estonia from the USSR can be solved only through the will of all the inhabitants of Estonia, of all the citizens of the Estonian SSR, that is through a referendum. Will the parties succeed, having overcome their ambitions, together defend the proclaimed general democratic ideas? On the answer, and life will give it, depend the tranquillity and the mood of the citizens, their common fate.

### Hopes for Western Support of Estonian Independence Scorned

90UN1603A Moscow SOYUZ in Russian  
No 15, Apr 90 p 5

[Article by Julo Uluots: "Reflections on the Evening of February 24th"; first paragraph is source introduction]

[Text] Julo Uluots, the author of the article "Reflections on the Evening of February 24th," is someone who is quite well known in Estonia. To be more accurate, he is a representative of a very well-known family, thus attention has been granted to him by fate. His uncle, Yuri Ulozhu Uluots, was the last premier of bourgeois Estonia, who gave up the post to I. Vares—the head of the popular-democratic government. Yulo Uluots is an economic planner, director of the Paliverskiy Building Materials Plant. He is not a politician in the direct understanding of the word. But has appeared in the press and on television frequently, especially of late. His comments are not the usual thing, they are characterized by originality of both thought and word. An example of this is the article "Reflections on the Evening of February 24th," which



appeared in the newspaper RAHVA HAAL. In Estonia the article aroused debate. We think that it would also be of interest to SOYUZ readers. Let us clarify: the 24th of February is Independence Day for the Estonian Republic, which was declared on 24th February 1918.

I sit and read, read and sit, and my head begins to spin with great happiness. Soon we will be free. In my reverie a contingent of UN peacekeeping troops comes to us, and under its benevolent supervision we elect a State Duma, form a State Council and install in Kadriorga a president in all the fullness of his power. This is so wonderful that my head begins to whirl.

But right after this a worm of doubt begins to gnaw. I get up and take two books from the bookshelf—the decisions of the Yalta and Potsdam conferences. I read and return again to sinful earth.

I recall that within the last two years we have adopted several important documents, including a declaration of independence. We have abolished the decisions of the 1940 State Duma; the Kremlin has found that the Molotov Pact is a spurious document; all our deputies, who gathered on 2 February, said enough is enough—we are tired of living in the Russian state.

And what has changed? Nothing! People only shrug good-naturedly. But why?

Because the documents signed by powerful people—Stalin, Roosevelt, Churchill, and Truman—have not been abolished.

The documents under which postwar Europe and the entire world were divided have not been abolished.

And if one adds here the Helsinki Accords by which the post war boundaries are recognized as inviolable, then a realistic picture begins to come clear.

If one looks from afar at the struggle which is now taking place in Eastern Europe, then the impression may be created that the documents signed by these great and powerful people have been thrown in the wastebasket. In reality, however, they have been picked out of there and are only now beginning to function.

In Yalta and Potsdam (and maybe on Malta) it was agreed that Hungary, Czechoslovakia, Poland, Romania and Germany must be democratic, demilitarized and neutral states.

But that is not what they became. Stalin took care of that.

At first everything went according to his plan; it was only Romania, Yugoslavia and Germany that did not come out right.

If one is to believe General Shtemenko, Stalin was in a rage when he understood that he had made a mistake in allowing a government formed in Romania to come to power there (the king of Romania was even awarded the Order of Victory), a government which subsequently

turned onto a path of independence. In other places the victorious army and the governments formed in Moscow marched together as they entered these states.

And in Yugoslavia the affair miscarried all together. After the storming of Belgrade, Tito promised to wind up matters in Yugoslavia himself because he had at his disposal, as the others did not, a real force—an army.

Soviet divisions marched into Vienna, but Tito (betrayer that he was) closed the borders and no longer admitted the Red Army into his state. He immediately turned into an executioner, murderer, traitor, toady of the imperialists and generally a bearer of all the mortal sins. But Yugoslavia avoided Russia's power—it received the status which was established at Yalta.

With Germany the matter was more complex. Before the free elections of the future, it was divided into sectors among the four victorious powers. Stalin hoped that communist ideology would come to power in the Western zones and that elections in a united Germany would lead to the power of the necessary people. But he miscalculated. Two states emerged, and the Berlin crisis followed. East Berliners fled to the West, Berlin was blockaded, and the Americans used an air bridge to supply the city with food. For 10 day tanks confronted each other in the Tiergarten. Shells were in the barrels. People's fingers were on the triggers.

The results: the Berlin wall, a great confrontation and the Yalta conference decisions "hung by a nail."

But the boundaries of the New Europe remained. And they remain to this day; moreover, the Baltic states remained outside the red line of these boundaries. And they will remain there until one of the signatories rejects his own signature.

One can only imagine what would happen if, beginning today, the decisions adopted at Yalta and Potsdam, were done away with.

The Germans would begin to demand Pomerania, Lower Silesia and Eastern Prussia (today the Poles and President Bush are already alarmed over the Oder-Neisse boundary).

The Poles would begin to demand the return of their Eastern regions and Vilnius. The Finns would ask: where is our Karelia?

The Japanese would not be satisfied any more with four small islands; instead they would demand the return of half of Sakhalin. And maybe even Manchuria.

The Romanians would inform us that Bessarabia is a long-standing Romanian area.

And finally, the Baltic republics would demand that the boundaries be moved back to where they were!

My good people, what does this mean? In my opinion, the start of World War III.



There have emerged among us politicians who present matters in approximately the following form.

We go to America. At the doors of the White House President Bush greets us with open arms. Come in, we have been expecting you for a long time. For now have some champagne; soon they will bring the protocols from the Yalta and Potsdam conferences up from the archives, and in your presence I will cross out the signatures of both Roosevelt (he was an old and sick man and was under Stalin's hypnotic spell) and Truman (he was young and inexperienced).

The battleship New Jersey is already under way, the aircraft carrier John Kenn / leaves tomorrow. In Europe the rapid reaction corps are combat ready. The Marines will come ashore at Tagalakht across the Gulf of Saaremaa—this is a suitable, well known and tested site. We already have a UN document of approval declaring us to be international forces for reconciliation. As soon as we are on site, we can quietly hold our free elections. (Good heavens, how similar this is to the hopes and rumors of 1944).

In London the same thing is repeated. The fine lady will greet us with a curtsy and report that tomorrow, as soon as tomorrow, she will send to the lower chamber a draft law abrogating the decisions of the Yalta and Potsdam conferences. After all, Churchill was old and feeble. In the hope that after the difficult war Uncle Sam would help good old England to get back on its feet, he helped Roosevelt to sell Europe to Stalin. Go home quietly, everything will be fine!

The French president will say that he will maintain a strike force for us, and that the only worthy feature of De Gaulle was his long nose.

Such arguments are, in my opinion, akin to the prattle and games of children in a sandbox.

The world has two great powers, which are responsible for peace on the entire planet. And not even a leaf will fall from a tree if they do not wish it. Our fate is in their hands.

Let us recall that de-facto Soviet Russia was the first to recognize the Estonian Republic in 1920. The Western republics arrived at that point only a couple of years later.

And now the recognition of our independence will inevitably take this same course. It is unthinkable that over a small patch of land and a million people the Western allies would disturb the balance of forces which has been achieved and would endanger their own security. They have their own interests, and with them rests the responsibility for the whole world. To hope that in these circles they consider us to be an occupied land is a trivial idea. Unfortunately, this is only a pretty political gesture. The existing documents are stronger than this. Proof of this lies in the fact that up to now we have not achieved a single serious political contact. Even Sweden's minister of foreign affairs said in Moscow that the question of the Baltic countries is an internal matter of the Soviet Union.

It is naive to hope that Soviet troops will soon leave the Baltic area. It is unwise to hope for an analogy to the Eastern European states, which they have now begun to leave. There is nothing extraordinary in this. That is how it had to be in accordance with the decisions taken at Yalta and Potsdam. The troops were introduced later, when communist regimes already held sway there.

Our greatest victory would be a treaty by which the USSR would retain bases here on a rental basis along with appropriate obligations and guarantees.

Until the Americans leave South Korea, Japan, Southern and Western Europe, the Balkans, etc., Soviet troops will not leave their strategic bases. This is inevitable and one should get used to this idea.

And now let us return to today.

Our road to independence lies through the Kremlin. Our talks may even be crowned with success; this would raise the prestige of the USSR in world politics and would contribute to its domestic peace. And all the more so because this process has already started. It only remains to figure out who will be admitted through the Kremlin gates, who will be considered an equal partner in the talks. If we are able to understand this, then we should be able to make our contribution.

I am perfectly sure that we must get the first recognition of our independence de facto from Moscow; the rest is a technical question, as the chess players say.

I think that a reasonable person will make his own contribution to the new Supreme Soviet and to the commissions invested with its trust, commissions which will be given the power to hold talks about our status quo.

This is the only organ which people trust and which Moscow recognizes. All the other organizations remain at the level of popular movements and parties.

One hears people saying that at its first session the new Supreme Soviet should commit suicide.

If we do this, then an even greater suicide will follow, after which we will not have enough mourners. The road to the cemetery is always a road leading to a dead end, and that applies in politics as well.

That is how I see today's world.

God grant that I am mistaken and everything is completely different—much more beautiful and simpler. And if that is so, then tomorrow I will change my opinion. I promise to follow faithfully in the steps of the prophet who has correctly predicted the future and to preach his teachings of the heavenly kingdom and eternal happiness.

But I do not think that it will fall to me to do that.

## USSR Justice Minister Cites Problems in Legal System

90UN1609A Moscow SOVETSKAYA YUSTITSIYA  
in Russian No 6, Mar 90 pp 2-5

[Article by V. Yakovlev, USSR minister of justice: "The Goals of Justice Bodies Under Perestroyka"]

[Text] There is only one proven method to achieve the strategic goal of establishing a law-based state and overcome the difficulties of the period of transition: the law, which justice bodies are called upon to uphold. I am speaking of upholding law and order in reality. This defines the practical goals of justice bodies.

Are justice bodies ready, as far as their structure, organization and functions are concerned, to solve the new problems?

In essence, the USSR Ministry of Justice and its network of organizations are not, and should not be, administrative entities under current conditions, since they have nothing to administer. (Only notary offices, perhaps, are run directly.) They fulfill certain managerial functions with respect to the courts, the lawyers' boards, civil registries and legal services at enterprises, without however using typical management methods in dealing with these services.

We are currently witnessing certain steady trends characterizing the functions, organization and activities of the judicial system. The first one is a clear division of organizational and administrative tasks on the one hand and the judiciary on the other. These two forms of activity must not cross paths. They must be divided because otherwise independent justice is impossible.

The second trend is the introduction of democratic foundations into the activity of organs which one way or another are part of the Ministry of Justice network. The law "On the Status of Judges in the USSR", for instance, introduced a rather strong foundation of judiciary autonomy, such as conferences of judges and qualifying boards which have considerable powers with respect to personnel selection. Foundations for judiciary autonomy are being laid.

The next trend is vertical democratization and a clear division of responsibilities at the level of the union and of union republics, with gradual decentralization and transfer of appropriate powers to republic entities in union and autonomous republics and appropriate local management bodies.

These trends must be accepted as reality and should not be resisted or fought, since they represent a natural and normal course of development in our society.

As to the functions of the Ministry of Justice, they should be viewed in relation to the structure that exists today, fulfilling two functions: that of participating in the legislative activity by providing professional services for the legislative process—this function is becoming one of

the most important and promising ones in the work of the ministry—and that of organizing the implementation of laws insofar as it relates to our goals and system.

Let us note that the function of participating in legislative work will be carried out also by the ministries of justice of union and autonomous republics and administrations and departments of justice at the local level. This is because local soviets of people's deputies, too, will now have great powers, including also in the area of drafting acts regulating activities on a given territory, while the goal of administrations and departments of justice will be to provide support for that work locally.

The USSR Ministry of Justice is required to make sure that government resolutions are prepared at a high professional level. In addition, the government has the right to propose legislation and to introduce certain bills into the legislature, especially regarding economic regulation. Practice has shown that these bills are initiated in the USSR Council of Ministers system. It is clear that support for this work, too, is the responsibility of the Justice Ministry. Due to the participation of the USSR Ministry of Justice in this work, a number of justice ministries in union republics (in Kazakhstan, Kirghizia, etc.) have raised the issue of giving the power to propose legislation to the USSR Justice Ministry and the justice ministries of union and autonomous republics. In our opinion, this would be correct. Furthermore, the USSR Ministry of Justice will become in essence a working organ not only of the government but of the USSR Supreme Soviet. Employees of our legislative administrations will participate not only in the work of Council of Ministers bodies but in that of Supreme Soviet committees and commissions.

The ministry plays an important role in making sure that agency regulatory acts are legal. At one time, we prepared a draft Council of Ministers resolution on government registration of agency regulatory acts by the USSR Ministry of Justice. Unfortunately, this issue has not yet been resolved, even though it is extremely important.

The next direction in our work is to systematize and codify legislation, which currently is practically unusable: it is chaotic, disorderly and full of contradictions. This work must be carried out in the course of drafting and passing new laws and based exclusively on them. To merely systematize and codify obsolete laws accumulated over the past 70 years is a useless task. This is why we must first pass new laws and later systematize and codify the entire body of laws. And perhaps arrive at creating the true legal code for our state at the union, republic and other levels. This is an extremely important issue and we must address it.

Some union republic ministries of justice (such as in the Ukraine and Turkmenia) simply propose to stop working on the legal code at the union and republic level, because they claim that such work makes no sense under modern conditions. The ministries of justice of Belorussia and Moldavia, on the contrary, believe that

we should develop good modern methods for codifying and systematizing legislation, including for working on the code. We discussed this issue and concluded that we must not stop working on the code, since otherwise we would lose experience and skills and whatever little we have would no longer be in working order. We would also lose specialists. As our history has shown, it is very dangerous to lose experience and skills. When we create the true code, we will finish the work of systematization and codification. Now, on the other hand, while working on new laws, we must actively annul old legislation, hundreds and even thousands of acts. This preparatory work will be done by no one except justice ministries at the union or republic level, or at any other one.

The next task in this area is to separate powers along vertical lines more firmly. We should also mention the need to divide legislative powers of the union, republics, autonomous republics and territories. This must be resolved in the USSR Constitution, by means of defining issues that lie within the competence of the union, union republics, etc. Naturally, at the level of the union, basic legislation or basic legislative foundations will be drafted, ensuring the necessary consistency at the union level and coordination in the economic sphere, for instance. The USSR Justice Ministry should fulfill certain functions for the ministries of justice of union republics in coordinating, consulting and helping share experience, as well as comparative law, perhaps. Now, union republics should work out their own situation as far as jury courts and administrative and executive law judges are concerned. It is absolutely clear that they will need advice and assistance from the union, if only to compare what goes on in other union republics.

An important goal is to study the effectiveness of existing laws. This is a very complex statewide problem which we are solving poorly. Legal information is very important here. Indeed, how can a law be applied if we do not have its text and lack a proper system for searching for the needed legislative act? The Ministry of Justice network includes the Research Center for Legal Information, but we must create a unified system of legal information for our entire country. Interesting experience in this field exists in some union republics (in Lithuania, for instance). This experience must be studied and everything useful adopted.

An extremely important task is to make sure that laws at one level correspond to laws at another. We must help the Committee for Constitutional Oversight to make sure that laws are constitutional, that government resolutions do not violate laws, that laws of union republics do not violate USSR laws and laws of autonomous republics and acts of local organs of power do not contradict laws of union republics. This is our common task. There are, however, difficulties related to the period of transition once again. Today, our legislation lags behind in some areas and anticipates events in others. This creates certain collisions, including those

between union and republic laws. We understand this and accept it as a natural difficulty in the period of transition.

Let us now turn to the work of justice bodies in the law enforcement, practical area, i.e., in the field of carrying out the laws.

Ministries of justice deal with the courts, the lawyers' boards, civic registries and notaries who in turn serve an enormous number of people every year. What should the Ministry of Justice do in this area?

First of all, it must safeguard the existence of an efficient and truly independent judiciary. Then, it must provide reliable and comprehensive advocacy and legal services to citizens, organizations and the state. Here we enter into certain interaction with the court system, the lawyers' boards, notaries, civil registries and legal services in the economy. These are the links of the system over which we preside as a state organ. We administer the notary service and fulfill purely methodological functions with respect to legal services in the economy. As to the courts, the lawyers' boards and, to an extent, the system of civil registries, justice bodies fulfill certain organizational and support functions for them.

An extremely important function of justice bodies is to make sure that the legal competence of citizens, officials and representatives of authority increases. And, of course, that the competence of employees of appropriate legal agencies such as the courts and the lawyers' boards, notary services, legal services in the economy and, to some extent, of civil registries, increases, as well.

Finally, one more direction of our work in this area, i.e., providing legal support for our state's foreign relations. Here, the most important task is to conclude and implement agreements on legal assistance. We must now be active in this area because many countries want to conclude such agreements of legal assistance with the USSR. Many of such agreements have already been concluded, not only with socialist but with capitalist countries, too, including Italy, Finland, etc. We are preparing to conclude such agreements with many other countries, including France and Spain.

It is very important to provide legal support for our foreign economic ties. There are, of course, government agencies which do this more directly. But the legal part of the process, the drafting of legislative acts, is in a large measure our responsibility.

Let us dwell in more detail on providing organizational support for the work of the courts, notary services, the lawyers' boards and, to an extent, legal services in the economy.

The Ministry of Justice and its local entities must draft and submit proposals on issues related to organizing the work of the courts, their location, structure, staffing, elections, etc. We must do the same for notary services: provide assistance in establishing new legal advice



offices and of course help organizing those services better. Of course, we should have long ago had scientifically developed workload norms for judges, notaries and other employees and, moreover, submitted, based on such norms, serious proposals to state organs regarding the structure, staffing and composition of those entities, including the courts. This should be done immediately, since the workload of the courts is set to grow. The date has been set: starting July 1, 1990, court appeals on illegal actions in the area of administrative management of collective entities will be permitted. In the near future, an enormous number of laws will be passed, each containing the following words: refusal can be appealed in court. It is absolutely clear that this problem must be solved in such a way as to make sure that the legal system is not overwhelmed. The courts must not be overburdened: this is the death of true justice.

Article 9 of the law on the status of judges in the USSR and Article 22 of the Basic legislation on the judicial system entrust the task of solving the cadres problem on the Ministry of Justice. Thus, we must select personnel, which means preparing candidates for legal work, nominating them for election, etc. Here, however, we absolutely must not ignore judicial autonomy. We must work very closely with the courts when we choose, nominate and train personnel. This must be our common task.

The Ministry of Justice has taken certain steps to make cadres work more democratic. We are gradually getting rid of the so-called nomenklatura and shifting from the nomenklatura method of work to other ones, such as training personnel and raising their competence. This is our main task: to organize personnel training and not to appoint by fiat. In this work, there are already a number of people we can rely on. There are 189 qualifying boards in the country. They are made up of 2,000 judges, best representatives of the judicial corps, best trained, objective and responsible. We have conducted a seminar for presidents of qualifying boards, discussed all aspects of their difficult work and identified points of interaction. In short, we are trying to work together, since qualifying boards have an enormous amount of work ahead of them. They must write opinions on suitability for judicial work for some 16,000 judges in the course of upcoming elections, of whom 2,000 will have to get their recommendations for the first time. In some union republics, such elections have already taken place, such as in Kazakhstan, Turkmenia and Tajikistan. We see that there are, generally, quite a few positives. In Kazakhstan, for instance, 80 percent of judges have 5-to-15 years of experience. At the same time, elections in those republics showed that there are many difficulties, as well. In Kazakhstan, 14 judgeships, and in Tajikistan 7 judgeships, are vacant. Elections were insufficiently competitive. The following is especially alarming: the law on the status of judges requires that when a person is promoted to a judicial position, his labor collective should be consulted. In particular, this refers to the people's courts where the person worked prior to nomination. We have

people's courts that have staffs of several dozen; why not take the opinion of such labor collectives into account?

And one more problem, that of material and technical support. Our justice is currently a pauper. It is the shame of our society and disrespect for the law. The judge is the law that speaks. If the judge speaks not in the Palace of Justice but in a hovel or in a barrack, this is the law that speaks in those places. Where would respect for the law come from in our society?

Yet, the situation with the construction of courthouses remains difficult. In recent years, very few of them have been built. The peak of construction activity was in the early 1970s. (Several hundred buildings were built between 1971 and 1975.) Since then, there has been hardly any construction, while the situation gets worse every year. We can not go on housing courts, notary services and legal services in totally unsuitable facilities. We have made a proposal to the USSR Council of Ministers on the courthouse construction program for the next 5-year plan. We have asked the USSR Council of Ministers to inform union republics about those figures, to make sure that the councils of ministers of the republics include such buildings in their state orders on a compulsory basis, since they will get funding and resources. We will fight for it. In addition, we have made proposals on technical and transportation services for the courts.

There are other areas of our interaction with the courts, the lawyers' boards and other entities. Justice bodies are responsible for keeping court statistics, even though it would be better if it were legal statistics, since there is no data on legal services in the economy and we have no idea how many legal service units we have and how many consultants work there. We are responsible by law for organizing work to execute court decisions. This is an important task solving which entails studying the workload of court executors and providing assistance to them.

The Ministry of Justice must participate in providing state guarantees for judicial independence. However, the courts now have their own weapons and can protect themselves with the help for the law on contempt of court. Nevertheless, the Ministry of Justice must not ignore this responsibility, since there are some situations which lie beyond the reach of that law. For instance, providing housing for judges. It is absolutely clear that this can be used to undermine the independence of the judge and to attempt to influence and interfere with the outcome of criminal and civil suits, knowing that the judge is, in a way, in a dependent position as far as the housing issue is concerned. The Ministry of Justice must protect the courts from such dependence.

There are many questions in the area of separating the functions of higher courts and justice bodies in some areas of court activities: deadlines for hearing cases and violations of such deadlines, as well as complaints about delays and failure to execute court decisions, etc. I think that such functions have largely been separated already.



The law on the status of judges, the basic legislation on the judicial system and other existing laws provide rather firm guidelines for this separation.

Higher courts are connected with lower ones by procedural bonds. They conduct oversight and act as appellate and supervisory institutions. These ties should not be transgressed, since otherwise the principle of lower courts' independence will be violated. The principle of separation of judiciary power and organizational and administrative tasks will also be violated. Our sad experience at the time when there was no ministry of justice and organizational and administrative and cadres issues were concentrated in higher courts shows that the main blow in so highly concentrated a system is dealt to justice. This is because higher courts, if they are responsible for the actions of lower courts, can no longer be true appellate and oversight entities. Since they are responsible for the activities of lower courts (I remember this period well since I myself was working in the legal system at the time), they stop striking down illegal verdicts and rulings. This was because otherwise the indicators of the lower court's work will decline, leading to the conclusion that the higher court poorly administers the lower court. This was how combining judicial and administrative activities hurt the system.

Justice bodies must not interfere in the activities of the courts and have no right to check the legality of sentences, decisions or rulings. But organizational functions with respect to the courts are the responsibility of justice bodies. Here, several issues have been raised. Higher justice organs have the right to review complaints if they relate to organizational matters in the work of the court, such as if a citizen was received poorly or not received at all. What if a complaint is related to deadline violations? Justice entities should not be concerned with procedural deadlines. Yet, there are organizational deadlines, too. They should be the responsibility of the higher court. Procedural and organizational deadlines should be clearly defined. Procedural deadlines are the ones which, if violated, have procedural implications. Such as the time period in which a decision or a sentence can be appealed. This, of course, is the responsibility of the higher court. On the other hand, the deadline for court decision to be issued is an organizational one. Why? Because its violation has no procedural consequences and reasons for violating this deadline may be various. Moreover, they are usually organizational in nature, such as too much work for the judge, vacations, inability on the part of the judge to organize his work well. In short, these are organizational causes. Higher justice bodies must check such complaints and take steps to eliminate their causes, depending on the individual situation. If the court is understaffed, they should hire additional personnel. If staffing requirements for the given court are too low for the actual work load, the issue must be addressed, etc. As to deadlines for the court to hear cases, they are being constantly violated and the wave of violations is growing. In 1989, 1 in 10 cases was heard in a time period exceeding 1 month. Earlier, there

had been only 5-to-6 percent of such cases. Who will handle this problem? It must be decided.

Now about legal services. I think that main tasks should be selected here and no attempt made to address everything. Justice entities must know whether there are legal departments and services functioning in the economy and legal experts working at the enterprises and complexes of the oblast or the republic, and why not. They must use various methods to make sure that there are such services. In Moscow and Leningrad, for instance, legal service centers have been set up for those enterprises which lack legal services of their own. We must assist them in solving cadres problems and in training and, especially, retraining legal experts and improving their qualifications, to help them set norms correctly both within the industry and locally, and to help raise their reputation.

A few words about notaries and civil registries. In 300 rayons and many towns of the country there are no notary services, which creates tremendous difficulties for citizens. In essence, notary services for them do not exist. Justice entities must do something about it.

In the field of notary services an experiment has been conducted to provide additional services for extra pay. It was quite successful and it probably should be adopted everywhere. There is, however, one issue which should be mentioned. Clients should not be charged extra fees for services which a notary public must perform as a civil servant. Additional services, on the other hand, may be provided for extra pay. These include drafting documents, providing advice on complex legal problems, etc. Clients will only be grateful for this.

In our relations with the lawyers' boards, much should be altered and we must be very sensitive to lawyer's autonomy. These are self-financing organizations subsisting on fees they charge their clients. There must be no excessive, unjustified interference. But we must not forget also that legal advisors and lawyers fulfill a constitutional function, the right of citizens to a defender, and that this activity of the lawyers' boards is part of the system of socialist justice, which is why it has always needed, and will continue to require, regulation and support from the state. I think that state regulation with the help of laws and other regulatory statutes and state support, such as organizational, personnel and material assistance and the creation of the necessary social and living conditions, are our responsibility. By the way, we must differentiate between the activities of the lawyers' boards and legal cooperatives. Legal cooperatives are a new phenomenon for us. No such organizations exist abroad, not even in the United States. Law firms provide legal services there. The lawyers' boards and cooperatives are organizations that are based on different principles. Law offices or firms are associations of highly trained professionals who are required by law to attain a certain level of professional training and have certain moral and ethical qualifications, and the order of their participation in the administration justice is regulated.

This is what the lawyers' boards are. And what are legal cooperatives? They are entrepreneurial ventures providing services for the purpose of earning a profit. In short, they are business ventures. Money and justice, in my view, do not belong together. The activity of legal cooperatives requires special regulation, and the areas where it is welcome or allowed should be defined. It is doubtful that these should include the justice system in criminal or legal cases. As to legal advice, document drafting and preparation of various documents and statutes for citizens and organizations, this is where it should be permitted.

Of course, we have many problems and they must be addressed by a joint effort of all legal bodies.

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### **MVD Official on Organized Crime in the USSR, US**

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VESTNIK in Russian No 16, Apr 90 p 9

[Interview with A. Gurov, head of the USSR MVD department for combatting organized crime, with G. Konstantinov: "Attack on the Mafia"]

[Text] At the Krasnoyarsk central market, gangsters took the chairman of a Tashkent cooperative hostage. They held him in a cellar for 2 weeks demanding a R300,000 ransom. He was freed by employees of the USSR MVD department for combatting organized crime who collaborated with operatives of the kray internal affairs administration. They arrested five people, seizing two guns and a semiautomatic pistol.

In Severo-Osetinskaya ASSR, a group of criminals preyed on cooperators, speculators and black marketeers for 2 years, robbing and killing people. Their weapons included three pistols, knives and canisters of the "bird cherry" poison gas. That closely knit group of 11 criminals, headed by an inveterate recidivist, was uncovered and liquidated.

Businessmen profiting from shortages of alcoholic beverages set up five underground plants. They stole alcohol from the Azerbaijan winery and candy from the "Kalev" factory in Tallinn. They made counterfeit vodka and brandy from stolen materials and sold them through co-conspirators in retail trade. The state lost almost half a million rubles. The group was exposed by employees of the USSR MVD working together with Saratov security forces.

Not long ago, an illegal foreign trade deal worth a whopping R1 billion had been prevented.

These are just four successful operations conducted by the USSR MVD department for combatting organized crime, which was set up a year ago. After its number in the structure of the ministry, it is often referred to simply the Sixth. Our correspondent asked A.Gurov, the head of the

department, to talk about achievements, difficulties and everything else that needs to be done to stop the growth of crime.

[Konstantinov] Your employees have exposed quite a few organized gangs and staged a number of successful operation. I must confess, I am tempted to talk about them in more detail: the tales have exciting plots, blood-curdling details and all the elements of sensationalism. But it is clear that there are hundreds of criminal gangs acting all over the country.

[Gurov] You are mistaken, there are thousands of them. To be precise, 3,500 known criminal associations with some 30,000 active members. Let me stress that this number includes only associations we know about.

[Konstantinov] All the more so. It is doubtful that employees of this rather small department have enough resources to take on such an army.

[Gurov] This is not our goal. The sixth department is a center of sorts for gathering and analyzing data on organized crime and on processes under way in the underworld and in the illegal sector of the shadow economy. We need this information to develop tactics for all departments of the police; it may even become the basis for executive decisions and legislative acts.

Unlike research institutions, we study the problem not only by academic methods, but in practice, too, infiltrating the underworld and dissecting criminal groups. Our department resembles neither the BKhSS [Department for Combatting Theft of Socialist Property and Speculation] nor the criminal investigation service. To put it in a short, simplified way, I would say that these move from crime to perpetrator while we move from perpetrator, or group of perpetrators, to crime. When they learn a crime has been committed, criminal investigators seek the murderer or the thief, and the BKhSS the speculator. The framework of such services is too tight for our department. Our employees, when they receive information about illegal activities, start studying how the group functions and seek ties which, incidentally, often extend abroad.

[Konstantinov] While you do your research, the criminals are allowed to go free, is it not so?

[Gurov] For the time being, yes. In the end, we liquidate the group. But let me repeat that we are primarily interested in the mechanics of crime and in trends among criminal associations.

[Konstantinov] Is it a form of reconnaissance?

[Gurov] Yes, if you will. It is no accident that we have close ties with the KGB, and our methods are closer to the style of work of the security service. Our department is primarily a data gathering, analytical, intelligence and research unit.

[Konstantinov] Several years ago, in the article "The Lion Has Leaped", you were probably the first to state

that we have organized crime, or homegrown mafia. At the time, this assertion met with sharp rejection: A mafia? Here? Where? Why? Later, that fact was confirmed, albeit grudgingly. Departments for fighting organized crime and a ministerial department were set up. People are now concerned with another question: how long will it be until the beast is chased back into its cage?

[Gurov] It will be very difficult, and I can not give you an encouraging forecast. Organized crime began in southern regions and large cities, and it is now actively spreading to smaller towns, such as Michurinsk, Balashikha and Pushkin. Its important characteristic is desire to form organizations for enrichment and to attain security through corruption. Such organizations can be classified and I will name three main types. The first is rather typical gangs comprised of 10, 20, and sometimes up to 50 members. Their specialty is theft, banditry, robberies and larceny. Their organization level is quite primitive and their makeup is not very stable. Such gangs exist everywhere. The next type consists of stable groups with hierarchical structures and, more importantly, ties with representatives of power or economic managers. Such groups also exist almost everywhere. Finally, the highest level of organization is the so-called network structure, the prototype of mafia or "Cosa Nostra". This functional hierarchical system can be seen in the example of the Khabarovsk "Commune", whose name stands for "Common Money Tills". It has a leader with four deputies. There is a small council, the so-called "fraternal circle", which has 37 members. Then there are leaders of criminal groups, of which there are some two dozen. Their specialties differ: theft, robberies, racketeering and so forth. Thus, it has four levels of management. It is a spread-out criminal network covering practically the entire Far East.

[Konstantinov] Are there many such groups?

[Gurov] I personally polled 400 local employees of city internal affairs departments. Sixteen told me that their regions have organizations similar to the "Commune".

[Konstantinov] But there is only one "Cosa Nostra" in the U.S. Do you see a tendency toward unification in our mafia?

[Gurov] Organized crime in our country can not copy American or Italian structures, since conditions here are different. Incidentally, the American police is more concerned now about the drug business, which is very secretive and ruthless. As to the activities of "Cosa Nostra", they are less of a problem: in essence, this organization is under control and is involved in semilegal businesses. It is doubtful that an organization resembling "Cosa Nostra" could emerge here: with the high scale of corruption we have here, it will not be profitable. Let me remind you that according to the USSR Prosecutor's Office All-Union Research Institute, some one third of illegal funds goes to pay off officials.

[Konstantinov] This view is being contested. Let me cite the opinion of Yu.Kozlov, of the Moscow State University's law department, published in our newspaper: "The figure was put in circulation hastily, without rigorous analysis, and it began to move from one article to another confusing both the public and the specialists. Criminals do spend 30 percent of their funds on payoffs, except not of their total funds but of their working capital. Which means only one ninth, approximately, of the illegal funds. And even this modest share is not converted into bribes entirely: it is redistributed along the channels of the shadow economy itself and of the underworld. The bureaucrats get a half or a forth. In short, it is not a third but 2 percent or 6 percent of shadow funds that sticks to the hands of greedy, dishonest officials."

[Gurov] Maybe. In any case, large sums of money go to establish corrupt ties. There are other causes, as well. I personally have spoken to some of our mafiosi and they agree that there is no trend toward large associations: why do I need 5,000-6,000 soldiers, they reason, how am I going to control them? Specialists from the FBI think that our organized crime resembles more the Japanese, not American model, which has smaller but more mobile structures and more sophisticated methods.

[Konstantinov] How do they know this?

[Gurov] They study it since they understand that migration processes have begun and that our mafia is establishing cross-border ties. We should listen to their opinion, since serious professionals work for the FBI and since organized crime has common features the world over.

[Konstantinov] But there are national characteristics, too, and it is no accident that some call our mafia, sarcastically, a homegrown one.

[Gurov] This is yet another cliché, inertia in thinking and at times ignorance of facts. We have studied, for instance, the work of almost 200 organized groups uncovered by the police. Out of the 1,300 convicted individuals, 26 percent were office, or white collar, workers. One out of 4 had either a college degree or some college education. Show me a local police department with one forth of manpower with so high a level of education. And if we look at groups specializing in economic crimes, 4 out of 5 leaders are former economic managers. We can boldly speak of qualitatively new organized crime emerging in this country. It is no longer enough to be able to speak the criminal lingo, one must now be an expert in economics and law, know the specifics of the market and understand administrative memos.

I am convinced that our mafia is more dangerous than the American one, which, as I have already said, works practically in full view of the police. Our gangsters, meanwhile, know 200 ways to steal state property by misuse of office—what other country has such a thing?



[Konstantinov] Where is organized crime more active today, in the traditional criminal pursuits or in the economy?

[Gurov] In the economy, of course. Incidentally, we know many underground Rockefellers, but we can not arrest them. There are many reasons for it, including deficiencies in the legal system and lack of manpower: it takes a year or two to crack a large criminal organization.

[Konstantinov] By the way, the experience of foreign countries shows that ordinary police can not control organized crime. The mafia is highly professional, it employs sophisticated methods and has extensive connections among corrupted officials.

[Gurov] Indeed, organized crime and corruption are closely tied. We must think about creating legislative and legal vehicles to combat corruption. Here is one example: perquisites have now become a popular subject. Television reporters burst into institutional cafeterias, clinics and tailor shops. One watches and wonders whether they are fighting for justice or for personal popularity. Yet, there are some privileges which the media tries not to notice. In my opinion, this issue is worth being raised. I am speaking of the special process used to indict people's deputies, judges, prosecutors and investigators of the prosecutor's office. We can not investigate their activities. The question arises how to expose corrupt connections? It is no secret that criminals seek to establish contacts there, and they will do it even more energetically in the future. We are trying to build a democratic, law-based state, which means that the power of the deputy corps, which used to exist solely on paper, is now growing, while the role of legal bodies is increasing. We even get information through field channels that the underworld is trying to place its own people among people's deputies.

A number of legal experts, including myself, think that a law-based state must not have such privileges. Even though I am an RSFSR people's deputy myself. This is not a call for arbitrary powers nor an attempt to create special conditions for law enforcement agencies; I simply say that all citizens must have equal rights.

[Konstantinov] Let us hope that this view will be heard. And now, let us go back to current problems.

[Gurov] They are as follows: even under existing laws, we could be more active in identifying criminal organizations, but for this we need a centralized, independent MVD system that does not report to local entities. Now, police forces are divided: the BKhSS and criminal investigations have their own special goals. We are currently working on establishing 19 regional centers to combat organized crime. Every unit will have 140-160 employees, or a total of 3,000 operatives. This was the proposal the ministry submitted to the government.

[Konstantinov] To set up such units you will need considerable funds.

[Gurov] Yes, we will need approximately R20 million. This is an absolute minimum, as they say. If I am not mistaken, in the U.S., \$10 billion is budgeted only to fight drugs. This money will not be wasted. It is not typical for the MVD to speak of self-financing, but in the past 8 months our department gave R7 million back to the state treasury, which was what we seized from criminals. This does not include gold, motor vehicles, icons and antiques. There is an old saying that cheap justice costs the state dearly.

[Konstantinov] What will be different about the new units compared to existing local units and the department for combatting organized crime?

[Gurov] They will have the status of central apparatus employees with all the resultant powers and responsibilities. These units will not try to uncover groups working in a particular area; this will be up to local internal affairs entities. But if the activity of a criminal association transcends the boundaries of an oblast or if illegal connections have been identified and local police feels the resistance and pressure from local authorities, then the units reporting to central authorities will go into action. They should be staffed with highly professional cadres and equipped with latest tools: they must be able to connect to the information and data bank at our department at a moment's notice.

[Konstantinov] To continue with our simile: the sixth department has begun with reconnaissance, but now it is time to send in the marines, is it not so?

[Gurov] No simile is perfect, but this one comes close to the truth. The idea of the proposal is to pit the professional detective against the professional criminal. That detective must be independent of local authorities and not burdened by irrelevant tasks. He must not concern himself with red tape, complaints, etc.

[Konstantinov] Let us hope that he will be able to chase the escaped lion back into its cage.

[Gurov] Life will give you the answer, because we are just starting.

## Advantages of Court Reform Set Forth

### Juridical Science Authority's View

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in Russian No 6, Mar 90 (signed to press 07 Mar 90)  
pp 5-8

[Article by Professor A. Koblikov, doctor of juridical sciences: "Judicial Authority and its Functions"]

[Text] Legal reform, directed toward the formation of a rule-of-law state, has begun to be realized in the country. An important and integral part of it is judicial reform—in the process of which it is necessary to elevate the role of the court and significantly strengthen guarantees for



realizing the democratic foundation of the Soviet judicial system, to ensure the unconditional independence of judges and their subordination to the law alone, and to take a number of other measures to ensure true justice. It would not be an exaggeration to state that today, out of all the directions of legal reform, judicial reform has become the most well-developed. Laws have been passed and put into effect that are unprecedented in our legal system, and amendments have been introduced to existing laws.

These are: The Fundamentals of Legislation and the Judicial System, and the laws "On the Status of Judges in the USSR" and "On Liability for Contempt of Court." Preparation of new editions is envisaged for the laws, "On the USSR Supreme Court," the "Law on Military Tribunals," and a for a number of normative acts associated with implementing the Law "On the Status of Judges in the USSR." New legislation adopted in the course of implementing judicial reform is based upon timely solution of a number of theoretical problems, while its interpretation and practical application have given rise to many questions and shall continue to do so. At the present time, one can only try to dwell on the most principled aspects of the transformation of the judicial system in the process of legal reforms.

Until recently, the very concept of "judicial authority" [sudebnaya vlast'] hardly existed in our political and juridical practice.

Throughout the difficult history of the Soviet state, for a long time judicial authority did not occupy a befitting position, and was not independent of the executive authorities and others.

Measures undertaken and anticipated measures for conducting judicial reform, it would appear, are to create the conditions in which judicial authority would occupy its proper place in state and social life; would in fact become the guarantee of human rights and liberties; and would effectively promote the solution of the difficult problems which we have encountered and which await us.

Judicial organs at the highest level may be given the right to exercise constitutional oversight. Such procedures do exist in states with the greatest legal traditions. According to the USSR Constitution of 1924, the USSR Supreme Court's jurisdiction specifically pertained to "issuing decisions upon the demand of the Central Executive Committee [TsIK] of the Union of Soviet Socialist Republics on the legality of this or that resolution of the union republics from the point of view of the Constitution" (p. "v" Article 43). The 1923 Statute on the USSR Supreme Court attributed to its jurisdiction first of all general oversight of observance of legality. It included, specifically, issuing decisions, on the demand of the USSR TsIK Presidium, on the legality, from the point of view of the USSR Constitution, of this or that resolution of the central executive committees and soviets of people's commissars of the union republics, as well as the USSR Soviet of People's Commissars [SNK].

Additionally, the Supreme Court was authorized to submit declarations to the USSR TsIK Presidium on suspending and repealing resolutions, actions and instructions of the central organs and of separate people's commissariats of the USSR due to inconsistency with the Constitution, both upon the proposal of union republic central organs, and upon their own initiative. As we see, the system of constitutional oversight was quite carefully worked out, and the right of such oversight under the aegis of a lawmaker was given to judicial authority. The USSR Procuracy was established by the resolution of the TsIK and the USSR SNK of 20 June 1933 and was charged with oversight "of the resolutions and instructions of the individual agencies of the USSR, the union republics, and the local authorities, to ensure that they correspond with the Constitution and the resolutions of the government of the USSR." Thus, the court was kept from exercising constitutional oversight.

Under conditions of perestroika, questions of constitutional oversight have found principally new solution and have taken on greater urgency, especially in connection with measures to give new content to the Soviet federation. By law of 1 December 1988, an amendment was introduced to the USSR Constitution which stipulated the creation of a USSR Constitutional Oversight Committee. Few people objected openly to the need for its creation, although attempts to torpedo its real formation and to delay the start of its functioning could be seen until very recent times. The Law on Constitutional Oversight in the USSR, which was passed 23 December 1989, laid the responsibility for carrying out the corresponding functions on a newly-created organ.

Under the contemporary organization of constitutional oversight, judicial authority is not isolated from it. In accordance with the latest edition of Article 15 of the USSR Constitution, the USSR Supreme Court has the right to enter motions at the USSR Constitutional Oversight Committee to deliver a decision with respect to the correspondence with the Constitution and the Laws of the USSR of a certain group of legal normative acts, with respect to which procuracy oversight has not been implemented. According to the Law on Constitutional Oversight in the USSR (Article 10), the USSR Constitutional Oversight Committee shall exercise oversight over the correspondence with the Constitution and laws of the USSR of the leading interpretations of a Plenum of the USSR Supreme Court. However, the oversight functions of the Constitutional Oversight Committee do not extend to sentences and other court decisions. Only appropriate courts have the right to examine the legality of judicial acts. No one has the right to interfere in judicial actions in connection with the administration of specific cases. Here the authority lies exclusively with the organs of justice.

The RSFSR, just as other union republics, must pass a law which defines the structure of the constitutional oversight organs and their operating procedures, on the basis of the appropriate amendments to the republic's

Constitution. Such organs will also be created in autonomous republics in accordance with their constitutions and laws.

It is hard to say how sensible it is to bestow the functions of constitutional oversight on the higher judicial organs of the union or autonomous republics. But while selecting different variants, one must not ignore the provisions of Article 3 of the Law on Constitutional Oversight in the USSR, which addresses the fact that constitutional oversight organs in the USSR are independent and are subordinate only to the USSR Constitution and the constitutions of the union and autonomous republics.

A specific prerogative of judicial authority is to examine citizens' complaints with respect to illegal actions of state administrative organs and responsible officials who have encroached upon their rights. The Law on the Procedure for Appealing to the Court on Illegal Actions of Responsible Officials Who Have Encroached on Citizen's Rights, adopted 30 June 1987, significantly limited the right to appeal and was soon corrected by the law of 20 October 1987. Nevertheless, this law too did not establish the proper legal conditions for realization of one of the citizens' constitutional rights. In 1988 nearly 100,000 citizens appealed to the court complaining of illegal actions by responsible officials! A law of 2 November 1989 opens broader opportunities to appeal to the court for illegal actions of both responsible officials and organs of state administration. It will go into effect on 1 July 1990. One would like to hope that the situation will gradually change in the direction of acknowledging the role of the court as the guarantor of the citizens' rights and liberties, capable and interested in the restoration of any law violation. In a rule-of-law state, the court must become that organ to which one turns first in the search for justice. And a corresponding turnabout in public consciousness will depend to a significant degree upon the courts' level of activity in this realm.

Judicial authority ordinarily is brought to bear when it is necessary to resolve one legal conflict or another while observing all the guarantees of justice. The Law of 9 October 1989, "On the Procedure for Resolving Collective Labor Disputes (Conflicts)," bestowed upon the court the right to take decisions in the sphere in which the fundamental interests of significant groups of people clash. Article 12 of this Law grants jurisdiction for deciding the legality or illegality of strikes to the Supreme Courts of union republics which have no oblasts, to the Supreme Courts of autonomous republics, and to oblast and equivalent courts. It is understood that resolving cases of this type cannot be compared with the situation and importance of handing down decisions on ordinary civil cases. One would think that the procedure for carrying out justice in the cases under examination should be governed by a special law. Here one can only ascertain that the sphere of action of judicial authority has in fact been expanded. It is not excluded that, with the increase in the significance of legal means for

defending the rights and liberties of the individual and subsequent realization of the significance and social value of the guarantees of legal procedure, this trend will be developed further.

Judicial authority has exclusive jurisdiction over the administration of justice on criminal and civil cases. Article 4 of the Fundamental Legislation on the Judicial System has changed the nature of the ways and means of administering justice in criminal cases. Whereas the previous Fundamentals did not deal with deciding the question of the guilt of the accused, but pointed directly to the imposition of punishment on those guilty of committing a crime, now this gap has been eliminated. As far as civil cases are concerned, here the changes are more significant. Justice is administered by means of examining and deciding in court sessions civil cases associated with defending the rights and legal interests of citizens, enterprises, institutions and organizations. Previously the law dealt with disputes touching upon rights and interests. The new formula opens the possibility of legal protection of various kinds of benefits, while not limited directly to the limits of the disputes.

Previously there was no conception of "judicial authority" in our legal customs. The first sign was the Law "On the Status of Judges in the USSR," Article 23 of which speaks of the symbols of judicial authority and on the procedure for establishing them. Thus, although indirectly and for a relatively unimportant reason, lawmakers finally spoke of judicial authority *per se*. One must still hope that regulating the principles of its implementation, the exclusiveness of its jurisdiction, as well as the terminology itself, will become part of constitutional legislation. It is namely in the Constitution that the position of judicial authority in the state and its tasks and prerogatives should be more concretely defined.

#### The Judge and his Status

Laws adopted in the course of the reform have introduced significant changes to a judge's legal position. The new laws basically regulate questions of the judicial system. At the same time, they also touch upon the procedural status of judges and people's assessors. In addition, their realization will in a number of instances require new decisions in legislation on the judicial system as well as in other branches of law. The general sense of the judicial reform being implemented, and its leading tendency, consists of elevating the authority and role of the court, ensuring the independence of judicial authority; and, naturally, elevating the prestige of the judge. The habitual way of seeing the judge as an ordinary representative of the administrative apparatus, who is in fact subordinate to various kinds of the powers-that-be, must give way to a conception of the special position of a judge as a servant of the law, placed in conditions of independence and bearing responsibility for the fairness of all decisions which he takes. The court

and the judge must occupy an appropriate position in the hierarchy of law-enforcement organs, and in the system of procedural relationships.

The Fundamentals of Legislation on the Judicial System, in defining the jurisdiction of the Ministry of Justice and its organs, do not employ the formula: "organizational leadership of judges." Article 22 of the Fundamentals speaks of organizational support of court activity. Such terms as "supervision," and "inspection" have disappeared from the article of the law that establishes this jurisdiction. But, on the other hand, it speaks directly to the obligation for organizing work on material-technical support of the courts; on creating the proper conditions for their activity; and on working out and implementing measures directed toward strengthening the independence of judges. The changes of which we speak concern, of course, not the terminology but the essence. The organs of executive power should supervise neither the courts nor the judges, since supervision inevitably presupposes subordination.

The Fundamentals of Legislation on the Judicial System of 1958 (Article 15) established the legal nature of procurators' participation in the examination of cases in court as oversight of the execution of the laws. The Law on the USSR Procurator attributes to the basic directions of activity of the procurator, oversight of execution of the laws during examination of cases in the courts, and contains a chapter with that same heading. Article 16 of the Fundamental Legislation on the Judicial System of 1989 established that the USSR General Procurator and his subordinate procurators shall participate in the examination of cases in the courts on the basis of which and according to procedure established by the laws of the USSR and the union republics. Thus, the jurisdiction of the procurator is not specifically defined in law, which seems logical. But the previous terminology, which could have created the impression that the procurator is in some respect placed above the court, has been removed from the law. The appropriate corrections are required to legislation on the procurator and the judicial system. Having in mind an extended discussion on the essence of the procedural jurisdiction of a procurator taking part in the prosecution of a specific case before the court for examination, I would like to note that the specific procedural jurisdiction of the procurator should hardly endure significant amendments. In any event, there are no grounds to remove from the procurator the obligation, at all stages of the criminal and civil judicial system, "to take timely measures stipulated by law to eliminate any and all violations of the law, no matter with whom these violations originated" (Article 14 of the Fundamentals of the Civil Judicial System, and Article 20 of the Fundamentals of the Criminal Judicial System). And in order to realize this, naturally, laws are needed.

The Law "On the Status of Judges in the USSR," defined the legal position of both judges and people's assessors, and once again proclaimed that when implementing justice, people's assessors shall enjoy all the rights of a

judge (point 3, Article 1). And three months later, at the session of the USSR Supreme Soviet, right in the assembly hall of our parliament, the formula was finally adopted for Part 1 of Article 11 of the Fundamentals of Legislation on the Judicial System: "According to procedure established by legislation of the union republics, on cases of crimes for the commission of which the law stipulates capital punishment or incarceration for a period of more than ten years, the question of the guilt of the accused may be decided by jury (*sud prisyazhnykh*) (an expanded collegium of people's assessors)." This norm represents, I believe, one of the most radical innovations in our judicial system, the significance of which goes beyond the bounds of the judicial system itself. It requires changing the procedural status of a judge and consequently careful regulation of many procedural questions. Legislative organs of the union republics will decide whether to establish a jury for certain categories of cases. The decision requires a weighty approach, considering our own experience and that of other nations, the processes taking place in society, and many factors of another kind. Both here and abroad, there are those in favor of juries and opposed to them. A jury, in which the responsibility for the fate of the accused is directly invested in the sworn assessors, is organized in such a way that it excludes the passivity of "the popular element." And therein, I believe, is its chief advantage for us for today. Influence of "telephone law" on the jurors is hardly possible, although it is not altogether excluded. As far as "newspaper law" is concerned, here the danger is much more serious, as well as the influence of the parties to the case. It is not for nothing that foreign supporters of juries focus attention on its shortcomings. Speaking on criticism of juries, the English author Ronald Walker notes, that juries as a whole ordinarily display bias depending upon the nature of the case and the participants in the process (sympathy to vehicle drivers, ill-will toward policemen and so on). "Another oft-encountered reproach with respect to juries is that of their susceptibility to rhetoric and their lack of experience in examining evidence. The jury system is unpopular among the majority of jurors themselves" because of the loss of their time and assets these responsibilities demand ("The English Judicial System," Moscow, 1980, p 278).

But there are certainly no grounds for opposing the rationality of the idea of the jury in principle and considering it purely bourgeois. Therefore I would not agree with the appeal of Professor V. Baskov: "Comrade scholars, let us not re-examine the decrepit bourgeois theories which have only an ephemeral democratic character, but are actually reactionary," connected with discussing proposals on creating juries or on increasing at least the number of people's assessors to 5-7 people (SOVETSKAYA YUSTITSIYA, 1989, No 7, p 11).

In the history of the Soviet court, the membership of the judicial collegium has never been such as it is today (one judge and only two people's assessors). According to Decree No 2 on the Court, cases in district courts were



examined "by 12 regular assessors and two supernumeraries, under the chairmanship of one of the permanent members of the court" (Article 3). At the same time the chairman took part in meetings of people's assessors with the right of consultative voice, and could be rejected by the people's assessors for the entire time of the process. The people's assessors would decide the question of not only the fact of the crime, but also on the punitive measures; moreover, they could reduce the punishment stipulated by law, on their own volition, right down to conditionally or totally freeing the accused from any punishment. In subsequent years, right down to the end of 1922, the people's courts examined cases with a judge and two or (when accused of severe crimes) six people's assessors.

In contemporary conditions, expanding the collegium of people's assessors might provide a significant effect. One can hardly imagine a situation in which in our time one judge could persuade 12 people's assessors, summoned by lot, to reach a guilty verdict with respect to an innocent person, contrary to their convictions, or to free a criminal. If in the Russian Federation a lawmaker finds it necessary to call a jury, at the same time he must resolve all procedural questions, since procedure is changing decisively in the judicial system. How many members should there be on the collegium—12, 10 or six assessors, and how many permanent judges; how should the jury bench be made up (the contemporary practice of "choosing" assessors, which is in general illegal, is unsuitable in principle); is unanimous agreement of the jurors necessary to deliver a guilty verdict, or only when capital punishment is possible; can the sentence imposed on the basis of the verdict be appealed; does the procurator have the right to appeal against an approved verdict; how to reorganize the appeals mechanism for such cases and, in particular, those for which there should be grounds for appeals; and so on—all this requires an answer. The jury is an institution requiring a high degree of legal culture, for judges above all. It is sufficient to remember the difficulty of formulating the final instructions of the chairman to the jurors, especially the part on the rules for use of evidence.

As practically always happens when new legislation is adopted, that which seemed sufficiently clear upon adoption of the legal norms, subsequently requires explanations, elaboration of certain recommendations, and sometimes even an official interpretation. Thus, the Law "On Responsibility for Contempt of Court" and the imposition of administrative punishment for certain violations of law is placed in the exclusive jurisdiction of the judge, having indicated that it is executed according to procedure prescribed by legislation of the union republics. But if one thinks that such a procedure has already been established in the appropriate parts of the union republics' codes of law on administrative law violation (Part IV, RSFSR Codex), one is liable to encounter a number of incongruities. For example, neither the terms nor the procedure for bringing one to administrative responsibility for procedural violation while court is in sessions are suitable for the reaction to a

display of disrespect for the court. Military servicemen, including responsible officials, cannot in general be held liable to the established law for contempt of court. They may only be punished by their leaders by disciplinary measures, and they cannot be fined. It would seem that liability for contempt of court would become a reality only under conditions in which specific procedures are established for the use of measures of administrative punishment, which provide both the proper guarantees for the individual, and the possibility of timely and decisive reaction to instances of obvious contempt of court, not taking measures on the private determination of the court or the impression of the judge, and the like. The specific jurisdiction of judges from which their administrative and executive authority derives, and their legal status, remain to be defined. The same applies to bailiffs [sudebnyy ispolnitel] and to court recorders [sekretar sudebnykh zasedaniy]. The union republics are faced with deciding many questions associated with implementing the laws already adopted, and those possibly adopted in the near future. Most of them now pertain to the jurisdiction of the lawmakers, since the time for all kinds of instructions, it would seem, is starting to fade into the past. Judicial reform will continue, on the basis of a firm legislative foundation.

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#### RSFSR Supreme Court Official's Opinion

90UN1608B Moscow SOVETSKAYA ROSSIYA  
in Russian 24 Apr 90 Second Edition p 2

[Article by V. Radchenko, first deputy chairman RSFSR Supreme Court: "Reasons for Skeptics: Some Remarks on How to Strengthen Judicial Authority"]

[Text] About ten years ago, while examining a civil case on declaring a warrant for housing invalid, I issued a subpoena to the rayispolkom which issued the warrant, for its representative to appear in court. A day later a somewhat agitated court reporter delivered a note in reply on which was scrawled in a bold hand the statement: "Comrade Radchenko! Since when does the Soviet Regime appear in court as a defendant?"

Yes, everything was clear back then. We had only one authority—Soviet authority; therefore there could not be any kind of judicial authority. Both in the conception of the party-Soviet leadership, and in the mass consciousness, the court firmly occupied a definite position in the system of the law-enforcement organs: a little lower than the procuracy and the militia; a little higher than Gosarbitrazh [State Board of Arbitration at the USSR Council of Ministers].

Building a rule-of-law state as the most important condition for realizing the socialist ideal—and this task has been levied by the Party—has made realization of wide-scale judicial reform one of the most important goals. It has already begun: very important laws have been adopted on the organization of courts in the USSR and on the status of judges; and the solution of problems of material support for



court officials has moved off the mark. And once again the dispute has arisen on a cardinal question of a rule-of-law state: on judicial authority.

The Platform of the CPSU Central Committee for the 28th CPSU Congress, which unambiguously proposes the division of state power into legislative, executive and judicial, supposedly resolves this dispute. But here is what is troubling. In the very same document the court is termed a law-enforcement organ in the familiar ranking with the procurator, the militia and the investigative apparatus. Moreover, the primary task of the courts once again is not the execution of judicial authority in order to affirm a law-abiding regime in the country, but the struggle with the growth of crime. As if the recent bitter experience had not taken place, which bears witness that intensifying criminal repression is incapable of halting the growth in the crime rate; but it is capable of crippling the future of thousands of people. We must understand well, that a true court is not an organ for the struggle with crime, but an authoritative organ, which carries out the application of the law with respect to a specific individual. And meting out punishment derives only—on the basis of law—from the severity of the act and information on the individual being tried.

The future RSFSR Supreme Soviet is faced with passing a new law on the Federation's judicial system. And its first article, one would think, should be the article on judicial authority, where it would be clearly indicated that this authority can belong only to the court, elected according to procedure established by law.

Considering the bloody lessons of the past, in order to cool off any persons who might wish to set up ersatz courts in the future, it should be written in the law what no one organ, responsible official, citizen or group of citizens has the right to take it upon himself to carry out the functions and the authority pertaining to the exclusive jurisdiction of the court; and that persons guilty of taking the place of the court are subject to criminal liability. And, it seems to me, such a norm should be added to the USSR Constitution, the republic constitutions, and naturally, to the USSR Law on the Judicial System.

Secondly, that authority which only judicial authority can exercise, should be returned to the court. Today thousands of juveniles who have committed violations of the law have, upon the decision of commissions on juvenile affairs at the executive committees of local soviets, been sent to special schools and institutions for extended periods; that is, in essence they were deprived of their freedom. Hundreds of thousands of people are found guilty of committing criminal acts, through non-judicial procedure, by officials of the militia and procuracy, in connection with closing cases on the so-called non-rehabilitation basis. In essence this can be called "pilferage" of judicial authority.

Thirdly, examination of procuracy appeals on the acts of responsible officials and collegial organs, including acts of local Soviets which are contrary to the law, should be transferred to the jurisdiction of the courts.

I can anticipate the skepticism of the opposition: "Well, he's asked too much. He makes the court higher than the Soviet Regime, so it can undo its decisions..."

I would remind them that the idea of judicial control over the actions of the executive powers belongs to Lenin.

On 20 May 1922, Vladimir Ilich dictated a letter for the Politburo by telephone, "On 'Dual' Subordination and Legality," in which he defends the necessity of affirming the uniform application of legality throughout the republic. Work is being completed on the proposal "to reserve to the procuracy authorities the right and responsibility to appeal any and all decisions of local authorities from the point of view of the legality of these decisions or resolutions, without the right of suspension as such, and with the exclusive right to transfer the case to the decision of the court."

Here is where the road was opened to construction of a rule-of-law socialist state, in which the court becomes an effective instrument for the protection of legality, against distortions from local authorities, and against departmental bureaucratism.

Unfortunately, on 24 May 1922, when Lenin was not present, the RKP(b) [Russian CP (bolshevik)] Central Committee Politburo struck from the prepared draft resolution on establishing a Soviet procuracy the words, "with the exclusive right to transfer the case to the decision of the court." The decision on whether to carry out the law or whether it could be violated became the monopoly of the higher-ranking bureaucratic structures. Thus the heaviest stone was laid in the foundation of the building of the administrative-command system.

Today restoration of the functions of the court in their Leninist conception has become a necessity with respect to the actions of local Soviets, as well as those of the numerous state and social organizations. And then citizens and organizations will know—there is a court, where everything can be arbitrated.

The establishment of judicial authority, of course, is directly associated with the affirmation of the independence of the court as an organ and the judge as a person given procedural authority for examining cases.

And nevertheless let us not forget that to this day the court is in the position of a poor relative, standing with outstretched hand, and whatever they give he's grateful for. A great deal has been written about this, but the situation is almost unchanged.

The executive powers, from which the court must be independent, has considerable capability of shutting off the oxygen—from financing to deciding social questions, including allocation of housing the court officials (One must bear in mind that for every judge, there are three or four officials on the court staff). Thus the court is in a delicate situation in which its vital activities depend largely on the ability of the judge not to annoy the local authorities. The solution to this problem can be twofold.

Either the republic Supreme Soviet approves the budget of the judicial system and the amount of salary of its officials; or a special legal act should be adopted, the details of which regulate questions of the material-technical support of the judicial system, satisfying the social needs of the judges and officials of the court staff; and at the same time a mechanism must be envisaged for sanctions on responsible officials for not carrying it out.

Concerning the independence of judges while examining specific cases, it must be noted that the adoption of laws on the status of judges, and on liability for contempt of court would open all the possibilities for establishing justice.

However, I cannot remain silent, on the basis of a number of examples and facts that a certain amount of danger for the objectiveness of justice lies in the attempts to turn the halls of justice into a political meeting, as well as the articles in certain press organs which pre-empt court decisions, and do not promote a normal atmosphere for examination of cases.

Recently, vigorous debates have revolved around the expedience of introducing trial by jury in the RSFSR. I myself am not upset about this. Systems of organizing the court similar to ours (wherein cases are decided jointly by a judge and assessors) exist in a number of developed countries; in others, preference is given to juries (wherein representatives of the people are separated from the judge). From my point of view, each of these systems has its pros and cons, but on the whole both have proven their right to exist.

What is indisputable is the fact that the introduction of trial by jury cannot be accomplished in a single stroke. First a new procedural law must be drawn up and adopted, to regulate the actions of such a court.

There is still another position, a very principled one from my point of view, that has direct relation to real judicial authority. Democratization of the higher judicial authority in the RSFSR must be accompanied by its increased access to the citizen. In my opinion this question could be resolved by means of establishing permanent judicial collegia of the RSFSR Supreme Court in the Far Eastern, East-Siberian, West-Siberian and Ural regions.

#### **Supreme Soviet Deputies' Reaction to Gdlyan-Ivanov Affair**

##### **Roundtable Discussion**

90UN1625A Vilnius EKHO LITVY in Russian  
17 Apr 90 p 3

[Editorial "Round Table" chaired by P. Lukyanchenko, reprinted from ARGUMENTY I FAKTY No 15, 1990, under rubric "Positions of USSR People's Deputies": "What Awaits Gdlyan and Ivanov?"]

[Text] Judging by our mail and phone calls, this question interests quite a few of our readers. The same is true of the question of whether the Commission of Deputies to review

the materials pertaining to the actions of the investigation team of the USSR Prosecutor's Office headed by T. Kh. Gdlyan was able to find out the entire truth concerning this case. Responding to readers' requests, we organized a "round table" attended by members of the Commission: People's Deputy of the USSR N. I. Ignatovich, member of the USSR Supreme Soviet, member of the Supreme Soviet Commission on Questions of Information [glasnost], Citizens' Rights and Appeals; People's Deputy of the USSR V. A. Semenov, candidate of Physical-Mathematical Sciences; and People's Deputy of the USSR I. V. Sorokin, member of the USSR Supreme Soviet Committee on Questions of Law and Order and Crime Fighting, senior criminal investigation operative. A report on the "round table" follows.

[ARGUMENTY I FAKTY] Did the Commission fulfill its assignment?

[Ignatovich] I am not satisfied with either the commission or its results. Its failure was apparent from the outset. The Commission lacked a clearly defined status, which is why we didn't know what we could do and what we could not.

[Semenov] At the 1st Congress our leading statesmen—M. S. Gorbachev and A. I. Lukyanov—declared that our Commission would be given unlimited rights. At the time I thought that was sufficient.

[Ignatovich] The Commission was doomed to fail because:

- The Commission consisted of 16 People's Deputies of the USSR; 9 of them were members of the USSR Supreme Soviet and its standing committees and commissions, which left them virtually no time to work on the Commission;

- There were only a few professional lawyers on the Commission, the rest new little about questions of investigation and legal proceedings, and their ignorance had a most baneful effect on our work. A graphic example is the April interview of Commission chairman R. Medvedev on the 1st TV Program: his statements can only be described as aggressive incompetence.

[ARGUMENTY I FAKTY] So who actually worked on the Commission?

[Semenov] Only five people: Deputies N. Strukov, V. Aleksandrin, I. Sorokin, V. Pokhla, and I. How do I evaluate the results of the Commission's work? Actually, now is when we should really be starting our work, but we are forced to wind it down. You will ask whether the accusations voiced by Gdlyan and Ivanov against party and state leaders are justified, whether there is corruption in the highest echelons of power. I will say, yes, there is. And that is the conclusion I arrived at on the basis of logical reasoning after seeing the Khint and Smirnov Cases.

As for violations of socialist legality by the Gdlyan group, the Commission received quite a few complaints

and letters on this subject, mainly from Uzbekistan. I do not preclude, of course, that almost all those letters and complaints can be regarded as an organized massive attempt to discredit the investigators. Nevertheless, some facts offer documentary proof of violations on the part of Gdlyan and his group.

[ARGUMENTY I FAKTY] What kind of violations?

[Semenov] In accordance with procedural law, when seizing valuables it is necessary to draw up a detailed list of them on the spot. I realize, of course, that these were large batches of valuables and a detailed listing of them on the spot was difficult.

[Ignatovich] Virtually impossible.

[Semenov] Well, they could have at least been sealed.

[ARGUMENTY I FAKTY] And they weren't sealed?

[Semenov] If we are to believe a procedural review carried out by the Prosecutor's Office, an attache case filled with valuables was seized, and the investigator did not seal it. At least, the statement about the seizure does not mention it being sealed. Furthermore, the witnesses during the seizing of the valuables were not the ones who were present when they were inspected and listed. That is also a violation.

[Ignatovich] No it wasn't, because it isn't required by law.

[Semenov] There was another set of violations. The procedural law does not allow the charging of relatives.

[Ignatovich] How come? If relatives of the accused are suspected of receiving valuables obtained by criminal means they can, under the law, be detained. It is another matter that there were numerous complaints of so-called psychological pressure on the accused: threats of serious punishment, including execution. That, in particular, was mentioned in the Commission by Ilyukhin, head of the Prosecutor Office's investigation group for the Gdlyan affair. But I cannot consider these facts to be proved. And until that happens the presumption of innocence must be applied to Gdlyan.

[Sorokin] I would like to get back to the question of the seizing of valuables. I have practical experience of my own, having worked for 9 years in the MVD system. And I know from experience that you sometimes find yourself in a situation when it is impossible to either list or seal the seized items, or even to find witnesses.

I was outraged when Medvedev spoke in his interview of "muddle-headed" investigators who used "strange descriptions" when listing the valuables of rings made of "yellow metal" with "pieces of glass." He has no idea that this kind of description is required by law. Judge for yourself: How can an investigator authoritatively distinguish, at the time of seizure, a gold item from a copper or gilded one or, say, whether it is diamond, crystal or glass?

That is for the commodity assay experts to say. Incidentally, their presence at the time of seizure is not required by law.

[Ignatovich] I must say that in its assessment of the activity of Gdlyan's group the Prosecutor's Office interprets the law so arbitrarily that one can't help marveling. On the one hand, the group is accused, for example, of subjecting detainee N. to daily intensive interrogations for a whole month. While in another case Gdlyan is accused of exactly the reverse: that he had not interrogated a detainee for six months. But the procedural law does not define interrogation schedules. Why, for example, would I interrogate daily a person who flatly denies everything? I must gather proof of his guilt or innocence and only then interrogate him again.

[Sorokin] I consider that, in general, the USSR Prosecutor's Office has no legal right to carry out an investigation against Gdlyan and Ivanov, because it is a concerned party. Why? Gdlyan has, sometimes unjustly, but frequently justifiably, accused his supervisors of undermining the Uzbekistan and Moscow cases. That Gdlyan's assertions are with foundation has been partially confirmed by our commission: We came to the conclusion that the Smirnov, Khudayberdiyev, Osetrov, and Orlov Cases were either terminated without sufficient basis or the investigation was concluded purely formally and hastily. I am sure that not only the USSR Prosecutor's Office had an interest in quashing the whole affair. Since the persons against whom Gdlyan brought criminal charges were ranking officials of the party apparatus, it should be clear who else had an interest in quashing the affair.

[ARGUMENTY I FAKTY] And what are those 11 suicides among witnesses and the accused which are, in R. Medvedev's words, on the conscience of Gdlyan and his team?

[Ignatovich] During the entire period of work of the Gdlyan's investigation team four people committed suicide; of these only one jumped out of a window after being subpoenaed for questioning and surrender of valuables; the others did this in the face of imminent exposure—either at home or in a hospital ward.

In his interview Medvedev asserts that the preliminary investigation of the Gdlyan and Ivanov affair has been completed. However, I gathered from a conversation with Ilyukhin, who heads the investigation of their case, that only that part of the investigation was completed which did not require questioning of the accused. And since the USSR Prosecutor General recently gave the right to detain suspects for up to eighteen months, it's not hard to predict the subsequent course of events. Suppose the Supreme Soviet agrees with the institution of criminal proceedings against Gdlyan and Ivanov. Ilyukhin will immediately have them arrested and kept in investigative confinement for eighteen months.

[Sorokin] And after that they can expect 10 years each in a strict regime camp.



[Ignatovich] Meanwhile wave after wave of demonstrations, rallies and strikes will roll all over the country. And this is strange, because that is just what the administrators of the Prosecutor's Office do not want. I told them: "We are not living in a rule-of-law state yet, we still cannot say, like the ancients, 'Long live justice even if the world should perish!' Your decision must be not only legal. It must also and primarily be political." If we had a rule-of-law state in our country today, if I didn't doubt the objectivity of the investigation, the Prosecutor's Office, and the court, at next week's vote in the Supreme Soviet I could, perhaps, push the button for agreeing to prefer charges against Gdlyan and Ivanov. But, excuse me, to punish two ordinary—and, incidentally, not the worst—criminal investigators for the faults of our legal system?

[Sorokin] I don't think I'll be mistaken if I say that the results of the Supreme Soviet vote will depend not on the norms of law but on the alignment of political forces. Gdlyan and Ivanov have publicly declared that they oppose the political regime, they oppose the CPSU apparatus. So it's hardly likely that the authorities' views will change in favor of Gdlyan and Ivanov. But I also know the opinion of voters all over the country, and not only in Moscow and Leningrad. The Supreme Soviet must take that into account.

[ARGUMENTY I FAKTY] As I see it, within the commission there is no unanimity with regard to the fate of Gdlyan and Ivanov?

[Semenov] Neither were we unanimous when we were preparing our interim report for the 2nd Congress. That is why the agreed text of the report appeared to be so eclectic. But if my opinion differs from that of the majority of the Commission, then I will insist on speaking.

[ARGUMENTY I FAKTY] Incidentally, stubborn talk still persists to the effect that the Commission's co-chairman Yarin, who delivered the report, had omitted a very important segment.

[Sorokin] Commission member E. Bichkauskas had indeed inserted a passage to the effect that in current conditions it was virtually impossible to investigate ranking officials.

[Ignatovich] I am very sorry to hear Gdlyan's accusations of our Commission for allegedly scuttling the corruption case. If anyone did contribute to the scuttling of the case, it was not the Commission, but Gdlyan's approach to proving criminal intent. If his investigative group had devoted sufficient attention to investigating the sources from which the bribes originated—and they were doubtlessly acquired by criminal means, by report padding, and so on—had the group supported this with documented evidence, the cases would not have collapsed. Because what we have is that in court the accused begin to recant their previous testimony, and the entire indictment collapses.

[Sorokin] I disagree. Firstly, every professional has his specific approach. Secondly, this was the biggest corruption case to date, and that is why Gdlyan's investigation tactics were nontraditional.

[Ignatovich] To be fair, I would like to say that today Gdlyan is being accused of all the breaches of law committed in Uzbekistan, of having arrested thousands of innocent people. That is a lie. Over the entire period Gdlyan and his group arrested or temporarily detained only about 160 people. The thousands mentioned today were charged by other investigation teams and other prosecutors totally unconnected with Gdlyan.

[ARGUMENTY I FAKTY] It has become known that a group of Uzbek People's Deputies recently demanded the political exoneration of Rashidov, who bears the blame for many of that much-suffering people's troubles.

[Ignatovich] That is so. I have read the article signed by five USSR People's Deputies published in the Ferghana Oblast newspaper, which claims that Rashidov was an outstanding son of the Uzbek people who did very, very much for Uzbeks.

[ARGUMENTY I FAKTY] Was any pressure brought on you as Commission members?

[Ignatovich] Personally I felt no pressure.

[Semenov] But nevertheless there was pressure on the Commission: no one wanted to consider our findings.

[Sorokin] I personally was subjected to pressure. I was summoned twice to the MVD central offices and advised to be more "diplomatic," speak out less in the press, and for that was given assurance of a "strong back," that is, professional promotion. But I don't need it at such a price.

[Ignatovich] There is hardly any doubt that initially Gdlyan's team enjoyed someone's high patronage. He even had an army helicopter at his disposal. This is indicative of something. But the patronage lasted only up to a certain line. Then they were told, "Hold it, boys. You've done your job, it's time to go." But the "boys" didn't want to go. And this is the result.

[Semenov] Harassment of the investigation team began in 1989. By then four delegates of the 19th Party Conference had been arrested and testimony involving a number of ranking officials of the CPSU Central Committee apparatus began to appear. And all at once facts of violations of socialist legality by Gdlyan and his team were "discovered." Former heads of the USSR Prosecutor's Office Katusev and Karakosov stated at the Commission that as soon as Gdlyan began questioning ranking party bosses the flow of complaints increased and party authorities began launching daily investigations.

That is when it all began. On 28 April 1989 IZVESTIYA published a special decision of the Supreme Court concerning the Khint Case. I studied the Khint Case carefully and reported it at the Commission. I found no violations on the part of Gdlyan. I am sure that the highly qualified



jurists—the Supreme Court members who adopted that special decision against Gdlyan—were well aware of this. Why did they agree to sign a document which has absolutely no basis from a legal point of view? I have one explanation: That is just when Usmankhoyayev, the former first secretary of the Uzbekistan CP Central Committee, was testifying about giving a bribe to the chairman of the Supreme Court V. Terebilov.

That special decision was used not only to protect Terebilov. It is apparent from documents in the Commission's possession that KGB investigator Dukhanin confronted the accused in the corruption case with the decision, together with the anti-Gdlyan article in PRAVDA's 30 April issue, after which they all recanted their previous testimony concerning ranking officials of the CPSU Central Committee apparatus. I think there is no need for any commentary.

[Ignatovich] Frankly speaking, I in general fail to understand this fixation on Gdlyan. After all, Gdlyan's violations are nothing in comparison with the harm caused by some former high-ranking leaders, who have brought the country to such a state but for some reason not only remain free but enjoy the entire range of benefits and privileges.

As a People's Deputy I am miffed that our parliamentary Commission, and in fact the entire Supreme Soviet, is to this day still treated like raw recruits who have been lined up in a column and issued orders: "Forward march! That way!" And then, "About face! Back!"

[Semenov] When I joined the Commission I thought I would get to the objective truth. But now I understand that we were used as a screen.

[Sorokin] Even if the Supreme Soviet bows to someone's political ambitions and decides to pillory those two representatives of the people I will not abandon this case, whatever the cost. Expressing the will of the voters, we deputies must carry this case to a complete and legitimate conclusion.

Working in extremely difficult conditions, Gdlyan and Ivanov at times made mistakes and errors, but there are no intentional violations of the law in their actions. And that is the main thing.

### Crime Expert Interviewed

90UN1625B Moscow LITERATURNAYA GAZETA  
in Russian 25 Apr 90 p 3

[Interview by LG correspondent Leonid Zagalskiy with People's Deputy of the USSR Yuriy Vladimirovich Golik, chairman of the USSR Supreme Soviet Committee for Questions of Law and Order and Combating Crime in new rubric "Commentaries for LG": "The Gdlyan and Ivanov Affair": Blind Rage or Prescient Composure?"]

[Text] [Zagalskiy] We know that during the entire period of work of the commission investigating the Gdlyan and

Ivanov affair you refused to give a single interview for the central press or take part in a single TV or radio program. Why?

[Golik] Believe me, not because I was afraid of anyone or anything. It seemed to me that it was first necessary to get some material together and only then expound on it. Now, when the work has been completed, I don't feel myself bound and am ready to discuss the topic as much as you want. However, the foregoing refers only to my personal commitments; as for journalists, since September 1989 they have constantly been invited to attend all the Commission's meetings.

It seems to me that the tremendous public interest in Gdlyan's and Ivanov's is due to the fact that for the first time in our entire postrevolutionary history they have publicly levelled charges against the highest echelon of power, both deceased and current. In our society this is, to put it mildly, unusual. One way or another, they were highly extolled as fighters against the mafia, more, as people who had suffered from the mafia.

[Correspondent] Well, it seems to me that nowadays people are in general prone to take the martyr image close to heart...

[Golik] The martyr image appeared later. Initially they were fighters. They began well. At least, as investigators. The entire team worked selflessly, regardless of time, rest and personal affairs. Proof for all events was collected fully and recorded correctly and in good faith. Later the cases progressed fairly "smoothly" through the courts, where the proceedings ended in guilty verdicts. But that was only at the first stage. The team leaders in many ways understood the mechanics of "cotton embezzlement" and developed (as yet mentally) a criminal hierarchy pyramid. It was necessary to fill in the squares of that "crossword."

Further work required further effort. The team entered a period of psychological fatigue. I think that was when both Gdlyan and Ivanov came to the conclusion that "they all steal," "the all give or take bribes." Gradually this notion evolved into utter conviction. In effect, the search for individual criminals ended. They developed a model of a "criminal society" which, of course, was at variance with real life.

Blinded by success and cuddled for achievements, both real and imagined, Gdlyan and Ivanov began to disregard the law and the criminal procedural code. The investigators began to arraign people who, in their view, occupied certain positions in the criminal hierarchy and to force them into the squares of the "crossword."

Thus, the "Ligachev case" appeared.

So did Ligachev take bribes or not? The investigators constantly quote the testimony of Usmankhoyayev that he allegedly gave Ligachev two bribes of 30,000 each. Such large sums must have acquired some material or physical form. For example, expensive purchases: furs,

jewelry, cars, etc. Or, say, dissolute behavior: wild parties, outings, feasts. But no one even took the trouble of verifying this, though even a Politburo member does not live in a vacuum. After attending meetings he associates with someone. The money could be traced, for example through bank wrappers or bill numbers. It is common knowledge that money is packaged in special wrapping, in certain places, and duly dated and sealed. In short, there are many professional methods of getting to the truth.

They say this couldn't be done. But if it can't be done, then it can't be discussed.

[Correspondent] Many deputies—and not only deputies—think that if Gdlyan and Ivanov are stripped of their parliamentary immunity the consequences of letting the genie of popular anger out of the bottle will be unpredictable. A wave of rallies and demonstrations is already sweeping the country. What will the situation lead to? After all, the man in the street is not concerned with legal niceties, while the words "official" and "bureaucrat" are today firmly associated with the words "enemy" and "devourer of children." In our country it is as hard to buy the Criminal Code in a store as to acquire a volume by the pioneer printer Ivan Fedorov. Yes, we are attempting to start building a rule-of-law state, yes, as you correctly remarked, "the law is harsh, but it is the law." And yet... Did anyone think of the consequences of making the decision?

[Golik] I am a lawyer. The only dictatorship that I recognize is dictatorship of the law.

[Correspondent] But the Gdlyan and Ivanov affair is not only a case of investigators who, let us say, were not conscientious in their work. It is also an acute political issue. You just spoke of this.

[Golik] Let us separate the one from the other. Let us settle political issues by political means and legal issues with the help of the law. Then everything will be extremely simple. The popular view, if it does not conform with the law, must be ignored, because otherwise that could lead to sad, if not catastrophic consequences. And it is absolutely immaterial if that popular view is voiced by a single person or a hundred thousand. Remember Pontius Pilate. When he sentenced Christ to death he said, "I wash my hands." That is, he disagreed with the verdict, but he gave in to the demand of the mob. You know the result: the religion exists for almost two thousand years.

[Correspondent] All right. In that case, let us pose the question differently. Why is the controversy centered solely on Gdlyan and Ivanov? Aren't there other investigation teams in which investigators have flagrantly violated the law? Examples are plentiful, you can find them in every newspaper. And if the question involved not leading state officials but some meat shop director caught stealing it is unlikely that a commission of the national Congress of People's Deputies would be meeting for a whole year and the deputies themselves

would shout themselves hoarse. If, as the Commission's document notes, leading officials of the Prosecutor's Office were guilty of flagrant violations of the law, what can one say of these two investigators?

[Golik] There are, indeed, many investigation teams and, I suppose, numerous violations as well. So why Gdlyan and Ivanov? In fact, that is a positive aspect. In a sense they have taken the blow upon themselves. If they hadn't existed they would have to be invented so as to focus attention on the existing troubles of our investigative process. The inadequacies of procedural laws, the virtually total absence of any material base, low professional standards, finally, political blinkers.

[Correspondent] Could you cite examples of the most flagrant violations, from your point of view as a citizen, of which the team is guilty?

[Golik] Certainly. Arrest of the mother of a baby which remained unattended for a long time because no one new that its mother was in jail. Here is another example. True, when I cite it I am told that it isn't convincing. Investigators from Gdlyan and Ivanov's team are drawing up a statement about confiscation of property. It states, approximately (I am citing from memory): Confiscated: yellow metal brooch with red stone, white metal ring with green stone, and to this is added: as well as other jewelry to total volume of... one half of a one-liter jar. What kind of measure is that? Or when confiscating money. This is recorded as: 100-ruble bills in bank wrapping, 50-ruble bills in bank wrapping, as well as scattered bills of various denominations... What kind of measure is that? This kind of inventory has resulted in the total depersonalization of the valuables. Now it is not clear what was confiscated, where, when, and from whom. As a consequence bribe-takers, rabid bribe-takers (I deliberately do not name names—that is for the court to do) have escaped criminal prosecution. So who botched the case? Why, Gdlyan and Ivanov themselves. I am told that this is a specific feature of the "Cotton Case." There are no such specifics! There no specifics requiring night-time interrogation or the arrest of innocent relatives. That is illegal!

[Correspondent] But did they have selfish intentions? As I understand it, Gdlyan, Ivanov, and all the other investigators sincerely wanted to expose the bribe-takers and embezzlers.

[Golik] I have no reason to assume that even a crumb stuck to the hands of those people. But there is another kind of selfishness. In this case, it is political ambition. Let us analyze the documents written by Gdlyan and Ivanov over the last year. They contain nothing. Not a single proof, but they abound in rumors, bickering, slogans, vilification, lies. Look at whom the "Freedom for Gdlyan and Ivanov" calls come from. Primarily from the rabble. I'm not afraid of that word, although some might take offense. Here is a definition of the word "rabble" given by leading philosopher Ivan Aleksandrovich Ilyin: "People become a rabble when, in

addressing affairs of state, they are moved not by political justice but by personal selfishness; and that is just why they do not look for the best people and do not want to give them the power. Anyone can belong to the rabble: rich and poor, an ignorant person or an 'intellectual'. The rabble is distinguished by selfish motivation and low legal standards, and in revolutionary times also by political particularity."

The Baltic peoples, in particular the Lithuanians, when they were still participating in our conventions they taught us political parliamentary culture. Moreover, they were very demanding. They would constantly raise the bar. Whenever a congress would achieve a certain level the bar would immediately be raised higher. So the rest inevitably had to reach out to that height and rise to a level of still higher understanding. I say this not as a commentary to the events in Lithuania, all the more so as they are not relevant to our conversation. But the very approach, the approach...

If something doesn't pass today, so be it. That is the state of our society. Any impulse must correspond to the state of the system. A strong impulse can destroy the system, a weak one will not achieve its aim and be lost.

We will have to return to this topic many times. We will be hearing of many such cases, and we must be ready. During the election campaign (I analyzed more than a hundred election platforms) many deputies spoke directly or indirectly of the need to personify responsibility for the adoption of decisions of national importance. From the Volga-Chogray canal to the introduction of troops in Afghanistan. Today this is a question of extreme importance. And this is where we have been skidding. Why are we so afraid? Not ready? Or something else? Kugultinov was a thousand times right when he expressed the idea that it is necessary to think less of oneself and more of the people. Let us think of this more often.

[Correspondent] But it is precisely the people who do not want Gdlyan and Ivanov to be charged.

[Golik] Are you sure?

[Correspondent] Judging by rallies attended by thousands—yes.

[Golik] I'm sorry, but those attending the rallies by are far not the entire people. The silent majority (silent at the rallies) thinks and makes decisions independently. That is firstly. And secondly, let us ask: what do the people know about this affair? Only that Gdlyan and Ivanov have accused Ligachev and others of his ilk of taking bribes.

[Correspondent] Unfortunately, today people don't like high chiefs, and there is nothing we can do about it...

[Golik] At the beginning of our conversation I tried to express the following thought. Pushkin, at the age of 26,

wrote the following words in "Boris Godunov": "Living power is hateful to the rabble." Nothing better can be said on this score.

Let us take a look at how events developed in our Commission. At first there was one chairman and two deputies. All kinds of troubles began: pressure, blackmail...

[Correspondent] Why didn't Medvedev mention this?

[Golik] What for? That is past material. We had no intention of complaining; it would be ridiculous. So initially there were mass demands to replace the chairman. We discussed this at the Commission. I took the floor and said: The chairman is invariably a push-button which many people want to press. The Zelenograd people want to push it, the apparatus is reaching out for it, though with a different purpose. Gdlyan himself would like to manipulate the Commission, and the Commission itself starts bringing pressure to bear on the chairman according to its own objectives. So I suggested appointing three co-chairmen so that no one would know which button to press. Because each one could say that he had to consult the other two. It's virtually impossible to agree a "delicate" issue with three people.

We adopted this decision, although it was immediately apparent that in time all three co-chairmen would become unacceptable. This must be resisted. That is just what happened. There were demands to replace them. There were even demands to set up a new commission. In effect it began immediately after the 1st Congress, even before we had, strictly speaking, gotten down to work. Already then committees of deputies "in defense of Gdlyan" began to appear. Here is what happened: The Congress set up a commission, but we don't like it, so let's set up another, and then a third... Commissions can be organized endlessly, but that will not solve the problem. Only the court can have the final say. I suggested that the problem be resolved (if, of course, the matter reached court) by means of a trial by jury. Moreover, the jury would decide guilt or innocence independently of the judges on each charge. It is necessary to work out a procedure. We will need it on many occasions. The specifics will appear later, meanwhile we could enrol the jury from among the People's Deputies (those who were not present at that session). The selection would be by drawing lots, with the accused having the right to challenge. We could even have a special court presence, in which the judges would be neutral persons (scholars of law), three such judges (to conduct the proceedings) and twelve members of the jury. There may be other variants. The important thing now is to approve the principle, the details will come later. Let it take a long time, but it will be democratic. Let the challenges be peremptory, rejection with no questions asked. Just because I don't like his face (say, peremptory challenge for the first 10 or 15 candidates, after that challenges would have to be justified).

[Correspondent] You know, concerning your proposal about a trial by jury, a colleague of mine said, "Oh, they'll all be bought anyhow!"

[Golik] Indeed! Then tell me who will pay them? Recently MOSCOW NEWS quoted a People's Deputy, who said that the cooperators were holding a Volga car for every Supreme Soviet member, which they would hand over as soon as he supported the Law on Cooperatives. But that is crazy. If it is accepted that anyone and everyone can be bought, it means that Gdlyan and Ivanov have also been bought. I could name at least a few organizations capable of buying them, and I could develop a system of proof how they honestly work for the sums paid out by the mafia. But what for? I think that such extreme judgments are tainted with blind rage, and I, to tell the truth, don't like ardent expositors. In any case, rage is not a good thing. I am always apprehensive of rage in public affairs, for the simple reason that rage is blind. I am more comfortable with calm reasoning.

[Correspondent] Much was said at the Supreme Soviet session about the role of the KGB and, in particular, investigator Dukhanin. What was your own impression of him?

[Golik] Colonel Aleksandr Sergeyevich Dukhanin testified at one of our sessions. He is, doubtlessly, a professional, and a professional of very high standards. I cannot say that he created the impression of a person prepared to carry out any order of any government. He is a man with his own position, his own opinions, but at the same time he bears the imprint of a strictly centralized system with iron discipline. It is not just a question of bearing. To understand the impression he created on the Commission I will cite one small example. Many Commission members denounced him. I asked one of them what he thought. His reply surprised me: I didn't like him because he is too clever. Many, apparently sensed his superiority, and that must have been annoying. It often happens at Supreme Soviet sessions that one person takes the floor several times (for example, Sobchak), and this annoys the hall terribly, evoking a certain type of emotional reaction. But sometimes Sobchak was simply providing legal consultation. Why strike the pose of a hurt child instead of learning? There are too few professional lawyers in our Supreme Soviet. At its opening session there were twenty-one, including Gorbachev and Alekseyev. Now only nineteen remain. That is much too little. Probably no parliament in the world has fewer. Because everywhere they have understood that parliament is a place where laws originate.

[Correspondent] What is your opinion of roll-call voting?

[Golik] Not always positive. I think that sometimes it shouldn't be used (for example, in personal discussions). It would be more humane with regard to the person being discussed. At the same time, it should become the rule when resolving the most important issues of a social,

economic and political nature. Such an approach disciplines people and makes everyone without exception think.

[Correspondent] What, in your view, is the proportion of legality in the session's resolution, and what part is politics and ethics?

[Golik] I would like every law to be ethical. Alas, the conflict between law and morality has always existed, although for many years we were being told the reverse. It can be less or greater, it can be negligible, but it will always be there. The thing is that sometimes the law lags behind and sometimes it runs ahead of the processes taking place in life. In general, common human morals have changed little since Biblical times, but they have been differently interpreted in each specific case.

There were many statements to the effect that the question of Gdlyan and Ivanov should be resolved not only by legal means, but by political means as well, on the basis of the best interests of the people and the political situation in the country. That is a blind alley. It may offer some immediate advantage, but only for a very short time. It will all come back like a destructive boomerang. We must show at least some concern for tomorrow. However, politics is present here, too. We have seen on the example of this affair the imperfections of our criminal procedural laws. They must be changed. Parliament must deal with this. And that is already politics. Legislative and legal politics.

Many favored taking no action at all, because it was impossible to find an acceptable variant. I cannot agree with this. I have always felt that a horrible end is better than endless horror. Endless horror cannot go on forever, the government, the people, and in fact Gdlyan and Ivanov themselves, cannot be kept in constant tension.

[Correspondent] Can you predict the actions of these investigators after the session's decision?

[Golik] I can. But I won't. For the simply reason that I am not God and can be mistaken in my prediction. Whatever I may say will later surely be turned against me. As they say in Western films, not another word without my lawyer.

[Correspondent] All right, let us rephrase the question. Will Gdlyan and Ivanov handle the national popularity they now enjoy with dignity?

[Golik] I don't think so. Because all their calls to put an end to the "Kremlin mafia" are meaningless. There is nothing behind them. Not a single fact. Everyone must realize that the myth of unswerving fighters with the mafia is of advantage only to... the mafia itself. It begins to feel itself invincible. Without facts, with only bare hands and pugnacious cries, neither Gdlyan nor Ivanov present, or will ever present, the slightest threat to the godfathers of our homegrown mafia. The sky-high hullabaloo raised around them merely distracts attention and forces, making people fight a "paper tiger." The live



tiger is stalking somewhere nearby. As LITERATURNAYA GAZETA correctly remarked, "the lion has leaped." What we need are not rallies but professional hunters against the lion. He isn't afraid of rallies...

[Correspondent] One last question: Why did the Supreme Soviet vote several times on the question of agreeing to Gdlyan's and Ivanov's dismissal from the prosecutor's office? Isn't that a policy of arm-twisting?

[Golik] Maybe. Only let us see who is twisting the parliament's arms. The Supreme Soviet is entitled to take votes as many times as it thinks necessary: every three minutes or every three years. Why do such situations arise? For the simple reason that immediately after a decision is passed a deputy gets up who disagrees with something and proposes a new or amended wording. If the Supreme Soviet thinks it necessary to discuss it, this is followed by a new round of voting, after which another deputy may come up in exactly the same way with a proposal of his own. This can happen, in principle, until total exhaustion (and there are such examples in world parliamentary practice). There is nothing seditious with that. Finally, sometimes an investigation may be reopened "because new circumstances have come to light." A deputy's proposal is just such a circumstance.

I am convinced that we will still return to a consideration of this case...

#### **Co-Chairman of Parliamentary Gdlyan Commission Interviewed**

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20 Apr 90 p 3

[Interview with N.A. Strukov, co-chairman, Parliamentary Commission and USSR people's deputy, by S. Kostornoy, correspondent: "Behind the Dazzling Glitter of Millions: A Timely Interview"]

[Text] Numerous letters recently arriving at our editorial offices have requested us to report on the final outcome of the so-called "cotton case" and the results of the work done by the commission of the First Congress of the USSR People's Deputies with regard to checking up on the activity of the USSR Procuracy's investigative group directed by T. Gdlyan and N. Ivanov.

As is known, on 18 April the session of the USSR Supreme Soviet completed its discussion of this acute problem. After a lengthy discussion, decisions were adopted, concerning which SELSKAYA ZHIZN has already briefly reported. Nevertheless, taking into consideration our readers' heightened interest in these events, the editors deemed it necessary to provide a more detailed account of the work done by this parliamentary commission. N.A. Strukov, co-chairman of the USSR People's Deputies' commission, replies below to the questions put by S. Kostornoy, our correspondent.

[S. Kostornoy] Before plunging more deeply into a discussion of those complex factors which your commission had to study thoroughly, Nikolay Alekseyevich, I'd like to find out who was included in its composition and how the work was set up.

[N.A. Strukov] First, let me speak briefly about the pre-history of this commission's creation. This matter was discussed in a very stormy fashion at the First Congress. Sixteen commission members were appointed. At first, R. Medvedyev was elected chairman, but on 4 October 1989 V.A. Yarin and I became co-chairmen. It should be said that half the members of our commission are lawyers with degrees. Of course, that would be insufficient to conduct, for example, a highly skilled juridical investigation, but we were not confronted with such a task. We were assigned the job of thoroughly analyzing the activity of the investigative group directed by T. Gdlyan and N. Ivanov in its moral-political aspect.

We had to study many volumes of cases, go out to Uzbekistan, meet with persons who had been interrogated in due course, talk with those persons who had been convicted at their places of incarceration, thoroughly analyze all the sentences and appeals of the accused, as well as party documents, etc. It should be noted that not all the commission members were unanimous in their conclusions; several of them did not sign the report, but most of them agreed with the results of our work.

Unfortunately, the scope of a newspaper item such as this will not allow us to go deeply into details and, of course, there are a great number of them.

[S. Kostornoy] Nevertheless, we obviously won't be able to get by without some details. I think that it would be correct to remind our readers about the "cotton case," and inform them how the investigative apparatus worked.

[N.A. Strukov] Fine. But then we'll have to begin from quite a ways back. In 1983 it became clear that it was virtually impossible to produce 6 million tons of cotton in Uzbekistan. This was confirmed by data derived from numerous checkups and investigations of the plantations both on site and from the air. The conviction arose that the accounts were being padded.

Uzbekistan's law-enforcement organs were included in the work. In toto, from 1976 through 1984 some 21,000 persons were indicted and turned over to the courts to be tried for embezzlements connected with the use of their service positions; 10,846 of them were officials of various ranks.

Exploiting the best characteristics of the Uzbek people—industriousness, tolerance, and good-naturedness, these officials became like bays [rich Central Asian landlords]; they plundered millions, setting up a luxurious life style for themselves and their relatives. But the principal mass of dekhkans [Central Asian peasants] existed in poverty, performing heavy labor on the cotton plantations. By

1983 the CPSU Central Committee, the Uzbek CP Central Committee, and the party obkoms had received more than 9,500 complaining letters concerning abuses by officials.

Investigative-operational teams began to be sent to Uzbekistan from the central region in order to handle cases involving major embezzlements. They all worked in close, businesslike contact with the republic-level law-enforcement organs. Some 100 million embezzled rubles were returned to the state. The operations were conducted without any excessive ballyhoo and received almost no elucidation in the mass media.

The investigative groups of the USSR Procuracy discovered that a wide circle of persons engaged in procuring, processing, marketing, and selling cotton had been involved in the commission of crimes. This was also confirmed by the planning-and-economic experts. The groups strove not only to punish the "operators," but also to get to the sources of corruption and the moral decay of the people involved. It was revealed that the cotton "padding" amounted to at least 5 million tons and that the state budget had paid approximately 3 billion rubles for this mythical "white gold." These and similar facts became the basis for an unprecedented struggle against the corrupted elements.

[S. Kostornoy] As understood by many people, the success of this struggle is connected with the work done by the group directed by T. Gdlyan and N. Ivanov

[N.A. Strukov] I don't intend to belittle their meritorious services. Indeed, this group, founded in September 1983, over a period of six years confiscated 32.3 million rubles in monetary notes and 15 million rubles worth of jewelry items. Five millionaires were revealed: K. Kamalov had 6.8 million rubles, M. Khudaybergenov—5,622,000, K. Nurumbetov—1,322,000, and A. Primov—1,296,000 rubles.

This investigative group immediately came to occupy a special and unique position. It was allocated any amount of the most varied equipment and supplies, ranging from bullet-proof vests to helicopters. It had at its disposal operational forces of the republic's KGB and Ministry of Internal Affairs. Over a period of about six years about a thousand investigators in all worked for this group.

The principal element on which the unique myth about Gdlyan evolved was the fact that he confiscated millions of rubles. Considerable forces were thrown into this struggle, but just what did they manage to achieve? Over a period of six years this group's investigators turned 32 persons over to the courts for trial. Moreover, during the operational period of the group directed by T. Gdlyan and N. Ivanov 11 suspects committed suicide.

I read the suicide notes which some of them left, and I was horrified. A scene full of drama opened up: people who had fallen into the investigators' hands turned out to be hapless pawns in an artfully cunning game.

It has now become clear that the "production costs" of this investigative group amounted to almost 6 million rubles for the state. To be sure, it confiscated about 40 million. But the final balance-sheet or tally will not be in the group's favor. Large sums will have to be paid out to those persons who turn out to be not guilty, to hundreds of persons illegally arrested and detained for as long as 9 months, and illegally confiscated valuables must be returned. But, of course, the group was aiming at billions. And T. Gdlyan had considerable ambitions. In many of his own interviews he would usually half-jokingly chide the other investigators as follows: "What are you doing over there, confiscating crumbs? What a bunch of loafers!"

The investigative group directed by T. Gdlyan and N. Ivanov had all the conditions and possibilities for effective operation, but it did not succeed in accomplishing this.

[S. Kostornoy] Why was that?

[N.A. Strukov] The first reason was the unprofessionalism of the leadership. The second was the lack of coordination in the group's work. The third reason was that there was virtually no collection of complete and objective information. The modus operandi was as follows: arrest a person on some charge or other, confiscate the money, and then beat the "pre-planned" testimony out of the person, mixing up truth and falsehoods about the crimes involved.

In short, an illegal situation was created. Work proceeded in accordance with the principle that "the end justifies the means." Hundreds and even thousands of persons had their faith in justice undermined, along with their hope that our state, at least, some time in the future, would become a state based on the rule of law.

[S. Kostornoy] Certain mass media used to present T. Gdlyan and N. Ivanov as protectors of the insulted, the injured, and the orphaned; they were delighted with their highly professional work, energetic assertiveness, etc. In general, there was quite a bit of ballyhoo. Did we really need to investigate this group, an investigation characterized more by caution than by occasionally giving out information to journalists? Here too there has been an upsurge of emotions. To whom was it advantageous?

[N.A. Strukov] In my opinion, there are two interested or motivated parties here. There are, first of all, the investigators themselves. And the second party is composed of those persons who want to slow down perestroika. On a wave of shouting and commotion they want to deflect the law-enforcement organs from the struggle against many other "wheeler-dealers" in the "shady" economy and to distract the people from solving urgent problems.

An article entitled "Cobras Guarding the Gold", which was printed in the newspaper PRAVDA, noted that the group headed up by T. Gdlyan should have performed the usual investigative work, i.e., revealed the mechanism whereby bribery and embezzlement developed, as well as their sources. For example, that's the way the KGB officials operated. But the Gdlyan group did not do this work. Furthermore, many auditing materials which had been obtained on the initiative of the KGB, in particular, those relating to the Bukhara Gorpromtorg, disappeared from among the materials of the criminal case. To this very day, they cannot be found.

For years the group led by T. Gdlyan and N. Ivanov did not make any large-scale confiscations of money. And then they included within their local groups those investigators who were probing the secret storage places of valuables. They rushed there and ascribed to themselves work done by other people. In an article entitled "I Would Take Journalists onto My Team" Gdlyan pointed out that his group had confiscated 140 million rubles, i.e., he assimilated someone else's work.

And what about the confiscations themselves? Those which were conducted by Gdlyan's group manifested unprofessionalism and irresponsibility. For example, in the document recording the confiscation of Nurumbetov's money from his guard in the settlement of Turkul I read that an attache case was seized, which was chock-full of packets of monetary notes. But how many packets? And how much money?

T. Gdlyan often noisily says something like the following at meetings: "What was I supposed to do, spend half a year in some kishlaks [Central Asia villages] counting over the money?" It is naive for an investigator engaged in especially important cases to say such a thing.

Such a lack of responsibility with valuables turned out, for example, in such incidents as the following: investigators brought in some confiscated money for the purpose of handing it over to Gosbank, and they indicated such-and-such a total. But when a bank employee counted it over, it turned out that there was about 20,000 extra. In the words of A.V. Sboyev, the chief of the USSR Procuracy's investigative unit, to this very day some 8-10 million rubles in confiscated money is "wandering around" somewhere, whereas the origin of 4 million rubles has not yet been ascertained.

[S. Kostornoy] During the period when this investigative group was operating, Gdlyan referred to special powers which the Kremlin had granted to him, and later he began declaring that he had "in his corner" some highly placed persons in the party and the government who had compromised themselves. How is such a metamorphosis to be explained?

[N.A. Strukov] Indeed, his stance on this matter has evoked quite a bit of perplexity. When, prior to 1988, having forgotten about the people, he was working for his own name and career, and he was entrusted with the support of the Politburo, he did not used to say anything

about his supposed "dossiers in high places." Nowadays, when one observes, so to speak, Gdlyan's feeble impulses at meetings, one is astounded by his statements.

While screening themselves with the names of the Politburo and the USSR Procurator General, T. Gdlyan and N. Ivanov were creating an illegal situation, but they never informed them about any "compromised persons in high places." When we listened to A.M. Rekunkov, the former USSR Procurator General, he stated directly that he knew nothing about any supposed testimony regarding Ligachev or other important officials, nor had he seen the documentary record of Usmankhodzhaev's interrogation wherein 32 names of highly placed persons were mentioned.

Truth was mixed up with falsehood in this group's work. Gdlyan reached the point where he began to cast doubts on all persons of the indigenous [i.e., Uzbek] nationality. And it was at this very same time that many genuine transgressors had their liability lifted. For example, with regard to the above-mentioned "Bukhara case," about 50 staff members of the Ministry of Internal Affairs, the UVD [Internal Affairs Administration], as well as the municipal and rayon divisions of the police who had "bought" their positions were freed from punishment. And as to "compromising material" on Ligachev, a checkup proved that all this was a fabrication.

When the anti-legal actions of T. Gdlyan and N. Ivanov became known via glasnost, and they sensed the failure of their own careers along with possible punishment, they began to depict themselves as victims of "Kremlin intrigues." And they began to play, let me put it bluntly, a dirty political game, having cast all principles aside. It is not in vain that the decree of the Supreme Soviet condemns their groundless statements, which besmirch certain deputies and officials.

[S. Kostornoy] Since the discussion has touched upon principles, what kinds of principles did Gdlyan and Ivanov have when they were heading up the investigative group?

[N.A. Strukov] The principle, or, let's say, the style of their activity was as follows: put a person into a cell by any means possible, and there beat the necessary testimony out of him. Well now, how does this differ from the procedure used in 1937?

Let me cite what N. Ivanov told our commission: "And when they say that there must be no internal conviction, but there must be objectivity—that's nonsense!" What is he talking about here? If an investigator didn't like a certain suspect, all he had to do was throw him into a cell. Fortunately, most of the investigators working in this group carried out their duties honestly and conscientiously. But there were 10-15 who did not shun any kinds of methods. Those suspects who stubbornly refused to provide the necessary testimony were threatened with lengthy terms of incarceration and physical punishment. We were told this in Uzbekistan by persons who had previously been under investigation.

Having seized virtually dictatorial power by adventurous methods, Gdlyan and Ivanov used it in an unbridled manner. Ordinary people had no protection against arbitrary treatment. They appealed for help to the republic's Central Committee, as well as to local obkoms, raykoms, and procuracies—and received not a peep in reply. Letters were also sent to the Central authorities, but there too everything sank to the bottom like a dead weight.

This group was supposed to fight against corruption, but it did not concern itself much with this, and, moreover, in a strange manner. For example, in 1988 N. Ivanov called a halt to criminal cases against 70 persons who had been accused of handing out bribes totaling 2,358,481 rubles.

Criminal cases began to collapse like houses of cards. In May 1986 70 out of 280 witnesses in the "Bukhara case" renounced their previous testimony, and 30 made statements concerning the illegal methods used on them. This was first noted in a report by A.M. Ovcharova, a state prosecutor.

[S. Kostornoy] How did events develop subsequently?

[N.A. Strukov] Gdlyan began an attack on the court, but after receiving a rebuff there and, in addition, a second service reprimand, he went over the Procurator General's head to the CPSU Central Committee, where he obtained support and, in some way incomprehensible to the procuracy leadership, was restored to directing the investigative group. However, there was little change in his work. The procurators Buturlin, Ovcharova, and many others continued to send signals concerning the illegalities of the investigative group directed by Gdlyan and Ivanov.

The initial attempts by the USSR Procuracy to place their work under monitoring controls evoked furious resistance. "You want to place a yoke on us and put us into a stall!"—Gdlyan and Ivanov exclaimed indignantly. But when a checkup was conducted, and conclusions were manifested regarding their illegal activity, they began to make statements about the incompetence and venality of the procurators—those procurators who had made such a careful analysis and evaluation of the proofs.

Neither the CPSU Central Committee nor the USSR Procuracy decided to go before the people with the truth about the investigations prior to the elections. Were they afraid that the people would fail to understand this matter? But this was in vain. The "pause" was immediately taken advantage of by Gdlyan and Ivanov. At one meeting after another they began to talk about the "Kremlin Mafia." And although they could not develop their fantasies and fabrications any further, they did manage to stir up the people quite a bit.

[S. Kostornoy] What kind of help did T. Gdlyan and N. Ivanov render to your commission? After all, it was on their initiative that it was set up.

[N.A. Strukov] There was no help as such. During the first phase there was only their presence at the sessions. And even that was just for the purpose of channeling the commission's work into the river bed they needed, i.e., to complete what their group with a thousand persons could not accomplish over a six-year period. Even assuming that we had gone along that path, is it possible for a commission consisting of 16 persons, among which only 3 were investigators, to have accomplished this?

Allow me to make a special note at this point: in granting great possibilities to the group directed by T. Gdlyan and N. Ivanov, the USSR Procuracy had hoped in this "case of the century" to enhance its own authority. But things turned out just the opposite—its authority was lowered and discredited. Now, therefore, everyone at all levels must be responsible for allowing omissions and illegalities to occur. This pertains both to the USSR Procuracy and to the party organs. I think that the party has enough force to very quickly rid itself of those persons who have besmirched the honorable name of communist and to punish them with all due severity.

Our commission has suffered the very same fate as all the others who have attempted to ascertain the truth about the activities of the group directed by Gdlyan and Ivanov; we have been showered with accusations of changing our views and of vanality; there have also been several threats.

We are deeply concerned that other groups of people do not want to recognize the realities; their actions are beginning to take on a patently aggressive nature. In a recent interview on the program VREMYA [Time] R. Medvedev mentioned an episode when V.A. Yarin and I had to leave under a police guard a meeting in the city of Zelenograd which had been stirred up in a provocative manner by I.V. Sorokin.

[S. Kostornoy] What was the "public background" during the work of this commission of the Congress? And what were the basic conclusions that you arrived at?

[N.A. Strukov] Even prior to the creation of our commission, T. Gdlyan and N. Ivanov attempted to organize a kind of noisy advertisement for themselves in certain mass media. They talked about themselves as if they were the guarantors of justice, strong-willed persons who had become the victims of the struggle against the shady economy and the Mafia.

They began to accelerate their activities. At numerous meetings in Leningrad, Zelenograd, and Tushino these two investigators, without any proofs but just rumors, began to cast a shadow on party and state leaders. Taking such facts into account when examining and considering our commission's report, the Congress session warned both of these investigators that, in case they continue such activities leading to a destabilization of the situation in this country, the USSR Supreme Soviet will initiate a move to strip them of their immunity as deputies.



### MVD Official on Moscow Militia's Role

90UN0867A Moscow PRAVDA in Russian 2 Feb 90  
Second Edition p 6

[Interview with Lieutenant General P.S. Bogdanov, chief of the Main Administration of Internal Affairs of the Moscow Gorispolkom, by S. Bogatko and Yu. Kazmin in Moscow: "You Have To Be a Citizen"; date not given—first paragraph is PRAVDA introduction]

[Text] The editorial office has received hundreds of letters in connection with the publication of materials concerning the work of the militia—"Workday Routine at Petrovka, 38." After analyzing the mail, which came in from many cities of the country, we grouped the opinions and comments into a series of questions which we posed to P.S. Bogdanov, the deputy minister of internal affairs of the USSR and chief of the GUV D [Main Administration of Internal Affairs] of the Moscow Gorispolkom [city soviet executive committee].

[Correspondent] Petr Stepanovich, first of all we would like to hear from you how adequately the reporting on the Moscow militia reflected the situation? To what degree did the publications influence the situation and how did you personally perceive them?

[Bogdanov] The answer to many of the questions raised in the issues of PRAVDA were heard from the rostrum of the Second Congress of the USSR People's Deputies. We are faced with important work in maintaining law and order. I am personally charged with heading the militia of the capital, but before the law I am a citizen just like all of the authors of letters to PRAVDA. I understand their anxieties. I also have a family and people who are close to me, from whom I hear the same kinds of opinions and the same concerns. For the sake of objectivity I should note that the material about the everyday work of "Petrovka, 38," as you call Moscow's GUV D, sounded very real. And for us this is more important than anything. We distinctly sense a change in public opinion. Militia workers are being treated better. The support of the public, which was reinforced by the adoption on 4 August by the USSR Supreme Soviet of the resolution "On the Resolute Strengthening of the Fight Against Crime" instills assurance of improvement in the work of law enforcement organs. Special detachments for the maintenance of law and order have begun to be established at enterprises and in residential areas. In many rayons, voluntary funds are being established to improve the material-technical base of organs of internal affairs. Civic duty began to be displayed more and more and a sense of responsibility for the state of law and order in one's own city. The most valuable thing in our complicated life is when the people themselves reach a conclusion and decide whom to support, and against what and whom to come out for in a united front.

I do not want to oversimplify the problem. There is also a stratum of people who perceive democracy to be permissiveness in all things. They hinder the process of renewal and cleansing of society within any methods,

including criminal methods. There are also those who aspire to live according to the principle "it is no concern of mine."

[Correspondent] A certain part of the readership associates the increase in crime with the appearance of humanization, and it demands making punishment measures tougher.

[Bogdanov] We believe it is necessary to consider the problems associated with crime broadly. At the same time, one should not panic. It is necessary to support the aggressive actions of the law enforcement organs. Today crime is characterized first and foremost by a growth in the number of violent and venal crimes. There are several causes: Frequently economic shortcomings, and gaps in the area of ideology, that lead to a lowering, and in a number of cases to the loss, of categories of morals and ethics. Such crimes as the murder of children by parents and parents by children do not submit themselves to common sense explanations. A trend has been noted in lack of discipline and an increase in drunkenness. This year we punished significantly more people for violating antialcohol laws.

A further stratification of society according to material well-being has brought an increase in mercenary crimes. There is a continuing increase in the theft of personal property. There is almost a doubling in the number of cases when the criminal hand reached into the state pocket. There is an increase in the activity of organized groups that have a criminal bent. Extortion has become a manifestation of organized crime, or, as it is called in the Western manner, a racket. Nourishing factors here are, in particular, the poorly thought-out organization and activity of cooperatives. Their workers, taking advantage of still imperfect legislation that regulates this kind of activity, have fabulous incomes, according to our yardsticks, whose legality in a majority of cases raises doubts. This relates especially to intermediate cooperatives.

The sums of personal incomes frequently are counted in the millions; no less impressive are the sums for extortion. Last year we uncovered hundreds of cases of rackets (in 1988—21). In all of the stipulated cases, the criminals were stopped and arrested.

It should be said that the moral aspect of some cooperatives also leaves much to be desired. In 1989, criminal proceedings were brought against 539 cooperatives. Literally the other day, the murder of V. Belov, the manager of a vegetable store of the cooperative "Vizit," was solved. The murder was committed by two deputies of the chairman of this same cooperative, who were convicted in the past and a worker—they did not share their sphere of influence.

Serious concern is caused by the growth in child crime. The ispolkom [executive committee] of the Moscow Soviet approved a program of education and prevention

of law-breaking among adolescents. We hope that it will make it possible to eliminate some of the problems in the youth environment.

[Correspondent] Workers are troubled by the extensive spread of profiteering, embezzlement, bribery, and law-breaking in trade and in the sphere of everyday living. In this respect, quite a few critical remarks were made about the law enforcement organs.

[Bogdanov] It was incorrectly believed at a certain stage that law-breaking in the economy could only be fought with an increase of forces after a crime has been detected. The transition of enterprises to new conditions of economic management made it necessary to search for new forms of work. We adopted a policy of strengthening ties and increasing the level of cooperation with work collectives in uprooting the causes and conditions that promote criminal manifestations. The conduct of work in a number of industrial enterprises in keeping inventories and increasing secondary processing of precious metals can serve as an example of this. An economic result in the sum of 20 million rubles [R] was achieved. The positive results made an improvement in the account of norms for the consumption of alcohol. We stopped 740 criminally punishable cases, 6,200 petty cases, and 56,000 cases of drinking in unauthorized places. In trade enterprises, public restaurants, and consumer cooperatives, commodities in the sum of more than R21 million were found "under the counters."

Most of the abuses continue to be committed during the storage and movement of commodities to bases, depots, and to storerooms of stores. The process could not be stopped even by the introduction of administrative responsibility for the concealment of commodities and their illegal sale from the depots and bases. Hundreds of workers in trade and in public restaurants were called to account.

[Correspondent] Despite an increase in the civic activity of the population, the number of crimes being committed in the city is not decreasing. Although the crime level in this country is lower than in many countries, the rates of growth in law-breaking is still terrifying. What is the situation today in the capital?

[Bogdanov] I want to say right off that a trend has been noticed in the stabilization of the situation. And this did not happen by itself. Systematic measures were developed to strengthen law and order, and they are now paying off. The organs of internal affairs are being armed with new types of equipment. A prevention service and special subunits to fight with organized crime have been established, and the functions of other services have been changed qualitatively. The efforts of organs of internal affairs of the city and oblast and subunits on rail and air transport have been consolidated. Significantly more criminals are being arrested after "hot" pursuit. This was helped in many ways by the timely reporting of citizens to the militia.

It must be said that cases of disobedience to the militia have increased. As a result, officials of the law and order organs were forced almost 300 times to use weapons and, more frequently than before, to use rubber sticks. More than 400 criminal cases were initiated for showing resistance (235 for 10 months of 1988). Actions in the prevention of crime have become more decisive.

The situation in the city remains difficult, and we talk about this frankly. I will cite examples. Not long ago in house No 39 on Dnepropetrovsk Street our official noticed a young man who was tipsy sitting in a car. To the request to show his documents, he answered that he left them at home. But when they went into the entrance-way, a powerful blow momentarily stunned the militiaman. He fell. He came to with a sharp pain. Standing above him was the hooligan who lost the look of a human being and kicked wherever he could. The militiaman used his gun. The result—the criminal was shot in the legs, and following medical treatment, the court awaits him.

In this as in other cases, our employees try to reason with attackers, warning that they will use the gun, and they shoot in the air. They frequently heard in response: "Do not dare to shoot us, you will be condemned by the law..." I report that in these and similar cases workers of the militia are not only not made responsible, but they are encouraged to take decisive action. I would like to warn those who try to escape from the scene of a crime after a demand is made by a militiaman to stop.

[Correspondent] There is talk in many of the letters about the professional qualities of militia employees and the cultural level of the guardians of law and order. What do the readers have in mind? First of all, they want to see in the face of a militiaman a model of decency, reliability, and honesty. It is not without reason that you wear a replica of the state emblem of the Soviet Union on your headgear.

[Bogdanov] I agree that the people decide the success of any cause. We have many problems in work with personnel. There is an outflow of militia employees to other branches, including to cooperatives. Staffs are not manned. We refuse to take people from other cities. This year about 3,000 young Muscovites came into the militia service. But this is not enough. The shortage now is more than 4,000. Many work collectives understand our problems and are trying to find ways for joint operations with the militia. For example, the other day the rector's office of the Peoples' Friendship University imeni Patrice Lumumba submitted a petition to form special militia detachments at the university from among Soviet students of the law faculty for the maintenance of law and order. We are now studying this proposal, and I think that we will accept it. Similar subunits could be established at MGU [Moscow State University], MADI [Moscow Highway Institute], and others.

We are conducting a consistent policy to refine our militia cadres. Just in this year alone, we discharged

1,183 persons for various infractions of discipline and service delinquencies. Violations that are discovered and the measures applied to guilty parties are publicized.

But it should be said that the majority of our employees perform their service duties honorably and conscientiously. Hundreds of letters arrive from workers and residents of the capital with words of gratitude for our employees who arrested criminals and returned property to victims, etc. Here is a letter from Comrade Abduragimov: "I ask that you express sincere gratitude from me and my family to the official of the 30th department of the militia, Militia Captain A. Shubin, who saved the life of my wife. Returning at night from work, she was attacked by a robber in a dark alley. Threatening her with a knife, the robber demanded money and began to pull the purse from her hands. My wife is a doctor, and she has seen death and blood more than once, but her scream was filled with fear. Hearing it, Captain Shubin, not pausing for a second, threw himself at the attacking armed criminal, disarmed and arrested him..." Captain of Militia Shubin was rewarded with an order of the GUV D. Thousands of our employees have distinguished themselves for high professionalism and faultless service, and many were awarded state decorations.

A special program is being implemented now in which measures are envisaged for improving the everyday living conditions of employees of the organs of internal affairs and members of their families. Starting on 1 January 1990, the salaries of militiamen and workers of the operational services were increased. A course has been taken toward the improvement in the quality of training of personnel staffs. The main efforts are directed at perfecting the training program for new staff personnel, bringing training closer to the practical activity of the internal affairs organs, and the introduction in the training of new forms and methods.

[Correspondent] Petr Stepanovich, what did you think of the nomination of your candidacy for people's deputy of the RSFSR [Russian Soviet Federated Socialist Republic] from the Kuntsevskiy electoral district? Because this is an additional load, and you and your militiamen have enough worries.

[Bogdanov] I believe that law and order and justice are things that are inseparable. Final success in the fight against crime and ensuring reliable public order in the city can be attained only through a consolidation of efforts. The deputy corps of the Soviet Russian Federation must be represented by professional employees of the law enforcement organs who know well both the good and the seamy side of our life. Working together and in a harmonious way, we will achieve a radical improvement in the situation.

### **Vice President of RSFSR Cooperatives' Union Arrested**

90UN15304 Moscow TRUD in Russian 17 Apr 90 p 4

[Interview with V. Kuznetsov, Moscow Oblast Soviet of Workers' Deputies Executive Committee Chief of Administration for the Main Administration of Internal Affairs' fight against thefts of socialist property and speculation, by A. Vasilyev; time, date, and place of interview not given: "Arrested in a Hotel"]

[Text] B. Yelagin, vice president of the RSFSR Cooperatives' Union, was arrested by agents of Internal Affairs organs on 13 January 1990 in the "Leningradskaya" Hotel (city of Leningrad), where he was staying under false identification. Since that time, various rumors and speculations concerning this fact have been cropping up constantly. Just what happened? We referred this question to V. Kuznetsov, the Moscow Oblast Soviet of Workers' Deputies Executive Committee [Mosoblispolkom] Chief of Administration for the Main Administration of Internal Affairs' [GUV D's] fight against thefts of socialist property and speculation [BKSS].

[Kuznetsov] Let us begin by saying that Yelagin actually had already ceased to be a cooperative worker by the time of his arrest. He abandoned the cooperative "Stroy-servis" [Construction Service] located in Mytishchi, which he headed, immediately after his election as first deputy chairman of the Moscow Oblast Cooperatives' Union. He was elected vice president of the RSFSR Union after that.

[Vasilyev] What was Yelagin arrested for?

[Kuznetsov] He has been incriminated in theft on a particularly large scale: In the investigation materials, it is stated that he obtained money from clients, but did not fill their orders, while the chairman of "Stroy-servis." There is information that Yelagin also embezzled other people's money during his work in the elective organs. Thus we had more than sufficient cause to take an interest in this "businessman." It goes without saying that the last word remains for the court.

### **KGB Officials Discuss Foreign Services**

90UN15164 Moscow VETERAN in Russian No 16, 16-22 Apr 90 p 12

[S. Ovsiyenko report: The USSR KGB: From Secrecy to Glasnost"]

[Text] Our society has set out on the road of democratic transformations and major changes. There is more openness, more glasnost in the work of previously "secret" departments such as the Ministry of Internal Affairs [MVD], the Committee for State Security [KGB], and the USSR Procuracy. Confirmation of this is the recent meeting between USSR KGB workers and the collective of the USSR Ministry of Railways, the record of which is here presented for the attention of our readers.

Deputy chairman of the USSR KGB G. Ageyev: From the moment that the first socialist state in man's history came into being all the efforts of Western and other intelligence agencies were directed toward its suppression. These efforts continue unabated even today.

In the United States the CIA, the FBI, NSA, special services within the armed forces, and a number of departments are all engaged in intelligence. The management apparatus of the CIA alone numbers 12,000 people. The budget for the American special services exceeds \$30 billion. Our state allocates considerably less funding for intelligence purposes.

With the arrival of Bush in the White House a new strategy is being worked out for the 1990's to remove it from the framework of restraints. Its aim is to include the USSR in the world community.

"The Soviet Union," the present director of the CIA has stated, "will remain basic in our activity. Its military potential and its attempts to extend its influence in the world are still creating a threat to the security of the United States... The Soviet Union is still of major interest for U.S. intelligence."

A group of American intelligence experts have prepared a report that contains proposals for the organization of operations that would influence various process in our country.

We distinguish three main forms and methods from among the entire range:

—First, recruiting work. This consists of persuading Soviet citizens to cooperate with the American special services. I note that this subversive activity is one of the most dangerous and does the greatest harm to the country.

During the past few years the organs of state security have unmasked more than 30 Soviet citizens who had been recruited for the special services of the United States. They include particular workers in the industrial sectors and the Ministry of Defense, and, unfortunately, our colleagues who had set out on the path of treachery. For example, for almost 10 years a leading design engineer at the USSR Ministry of the Radio Industry scientific research institute, Tolkachev, worked for American intelligence and passed on information of special importance. For his services he received money and valuables to the tune of R800,000. According to some figures Tolkachev had \$2 million in his account abroad. He was sentenced by a Soviet court.

An official in the Ministry of Defense who received the death penalty did great harm to military intelligence.

The second avenue is technical intelligence. Our country is surrounded by a network of American military bases from which radio conversations are monitored. The territory of the USSR is surveyed from space by American spy satellites not only by day but also at night. In recent years the American special services have started

to introduce equipment that transmit information via satellite to an information center.

And finally, there is one more direction in intelligence activity against the USSR, namely, the gathering of information from newspapers and journals and the participation of agents in symposia and seminars and in tourist activities and so forth in the guise of scholars.

The United States has a special interest in the Soviet economy. Here the Americans have but one policy, namely, to keep the Soviet Union in the sidings, take raw materials, and not provide any advanced technologies. So we should accept the assurances of businesslike and equal cooperation with a certain degree of skepticism.

A few words about the structure of the USSR KGB. Previously we were somehow hindered from saying that we have our own intelligence services. Yes, there is such a directorate. There is also counterintelligence, a communications service, and the border troops, and a new directorate has been set up to safeguard the Soviet constitutional arrangement...

A representative of the intelligence directorate: Our intelligence services will soon be celebrating their 70th anniversary. The foreign section was set up on 20 December 1920 in the VChK [the All-Union Extraordinary Commission for Combating Counterrevolution and Sabotage]. At that time the main task was the struggle against the counterrevolutionary monarchist White emigres who were nurturing plans to overthrow the Soviet system.

The threat of a second world war brought the plan to deal with to the forefront. A fine intelligence network was set up. Some 22 intelligence agents were awarded the title of Hero of the Soviet Union.

During the postwar years our intelligence services had other missions—to enhance the country's defense capability, prevent a breakthrough by the enemy in the development of new kinds of weapons, compensate for our lagging economy, and insure the safety of Soviet citizens and their establishments abroad. There are now about 250,000 citizens abroad, and the enemy shows great interest in them.

Our intelligence people have also had failures. We fight to the end for each one of them, exchanging them for special services agents. For example, in 1986 the Soviet worker Zakharov, who was arrested in New York, was exchanged for an American journalist.

Chief of the USSR KGB press center A. Karbannov: In connection with the events in the Transcaucasus the Iranian and Turkish intelligence services galvanized their activity. Their aim is to create public opinion that in the USSR the rights of Muslims are supposedly being infringed upon. The international terrorist organization "The Armenian Secret Liberation Army" is also paying



attention to the conflict. Information is to hand that they intend to send militants into the USSR to carry out "acts of vengeance."

Complaints are often made about the organs of state security for their indecisiveness in putting a stop to disorders based on nationalist grounds. I cannot agree with this. The operational and investigative groups of the Procuracy, MVD and KGB in Azerbaijan have made more than 400 criminally answerable; the figures for Armenia and the Nagorno-Karabakh Autonomous Oblast are 80, and for Fergana, 300. In Tajikistan about 50 people are under investigation. Analysis has enabled us to distinguish three levels of organized crime. The rank-and-file people who take part in the pogroms. This is the first level. The second is the direct organizers of robbery, murder and arson. The third is the ideological sponsors and organizers of the disorders in the region. It is considerably more difficult to unmask these people.

Department chief in the USSR KGB investigation department: The committee has been paying much attention to the struggle against contraband. During the period 1985-1989 with our help valuables and antiques worth R30 million were returned to the state. We have moved out to the smugglers' international communications, including through diplomatic channels. We are now working on a case involving a group of workers at the Sheremetyevo customs who for bribes have been allowing contraband to go abroad. A dozen-and-a-half people have been arrested, including a militia worker...

Responding to many questions concerning the Gdlyan and Ivanov group, A. Dukhanin summed up by saying that the investigation in this case is coming to an end and time will show who is right. It is clear that Gdlyan and his group created an investigative mechanism that enabled them to accuse a person of anything they liked. The foundation of this mechanism is Vyshinskiy's not unknown theory that once a person gives evidence against someone they must be guilty. It is on this that the "Uzbek case" of this group was built.

Those present at the meeting examined with interest models of technical intelligence facilities from foreign special services confiscated by the KGB on USSR territory in recent years, and received detailed explanations of them.

### **MVD Fights Organized Crime in Georgian Trade Sector**

90UN1565A Tbilisi ZARYA VOSTOKA in Russian  
12 Apr 90 p 4

[Article from GRUZINFORM: "Armed and Very Dangerous"]

[Text] The mass media has already reported more than once on the suppression by Georgian security agencies of the cooperatives' attempts to "withdraw" 53 million rubles from the State budget. But aren't we at times carried away by the sensationalism and the large scale of

the event, overlooking its essence? And the present case merits a very serious attempt at comprehension, doesn't it? If only because it has become the first, very complex test of the new police structure.

...Analysis has begun. Actually, of the almost 2,500 cooperative societies active in the republic every fifth one is a sewing cooperative. The cooperative system carefully calculates wages, and banking operations are carried out with them. Meanwhile, the domestic market is not bogged down with an abundance of clothing goods.

After an investigation, professionals from the Ministry of Internal Affairs became convinced: a number of cooperatives have sent their products abroad, circumventing the law, in amicable deliveries to Afghanistan. Of course, the manufacturers were far from being altruists, since they received payment from the state treasury, although not in convertible currency. Thus, millions of rubles were accumulated. They were accumulated until the regular shipment was detained on a November night. In this way, the sixth department of the Georgian SSR [Soviet Socialist Republic] MVD [Ministry of Internal Affairs] reported on its struggle with organized crime. Militia Colonel Nodar Tskrialashvili is its chief.

[GRUZINFORM] Nodar Georgiyevich, unfortunately, no one has yet legally succeeded in satisfactorily interpreting the expression "organized crime". Let's leave the terminology to the theoreticians and approach from another side: of what do your duties consist?

[Tskrialashvili] Similar subdivisions, I remember, were formed last year practically everywhere in the country's internal affairs organs, because the damage caused by organized crime is vast and overt. Here we suffer political, economic, and moral injury, "fermented" in the coalescence of criminal leaders with businessmen in the shadow economy, bribe-takers, plunderers, and corrupt people.

[GRUZINFORM] Without trying at all to disparage cooperation by a crowd, I dare say that some of its representatives add to your troubles. The "sewing" affair accurately affirms this. Let's return to it with respect for the secrecy of the investigation.

[Tskrialashvili] It has been established that the suppliers were shielded by orders of the All-Union Association "Vostokintorg". Later my colleagues and I in the USSR MVD ascertained: the association did not officially distribute and did not have the right to distribute those documents; individual departmental officers gave them to the cooperatives. The manufacturers, after securing such a solid "legend", did pass up the chance to snatch an additional sum: Low quality goods, costing significantly less than marked in the orders, were shipped. Today two highly placed bribe-takers confessed to complicity; they were persuaded to surrender voluntarily the bribes, totalling more than half a million dollars, they had received. The investigation is continuing.

Here we must turn our attention to an extremely important situation. Our work will be effective only with the complete support and trust of society. Therefore, it is necessary to define precisely the department's position: our mission is to prevent violations of social justice so that criminals do not rob honest workers—in the state or in the cooperative sector. However, in connection with the "sewing" expose (by the way, before our interference there had been a shipment of 27 million rubles worth of goods) we were almost blamed for a lack of patriotism. They said, anyway the money came to Georgia. For whom? For the people? In no way. The profit would have been accumulated exclusively in the shadow economy and would be redistributed in it later on. And to what does such an accumulation in a limited circle lead? Doesn't it foster inflation in the marketplace?

[GRUZINFORM] Probably you planned different "contact points" with organized crime. How are relationships organized within it?

[Tskrialashvili] The available information indicates: the problem has become rooted in the economy; the financial bigwigs at the top of the hierarchy "arrange the music." Underneath them are the perpetrators, the soldiers—armed and dangerous, the "master's" orders are delivered to them through middle men.

[GRUZINFORM] And the "master" who does not directly participate is usually inaccessible to the cutting edge of the law.

[Tskrialashvili] I think the position is going to change soon. The solution to questions of improving legislation and using video and audio recording methods for securing evidence is expected shortly.

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The former plenipotentiary of the sixth administration of the USSR MVD, Yuriy Semenov, who was sent to Tbilisi to improve contacts between subdivisions of the union and republic ministries with subsequent organization of joint measures, is sitting with us right now.

[GRUZINFORM] Yuriy Dmitriyevich, what are your impressions of the work of your Georgian colleagues?

[Semenov] In recent years there has been no more serious business than the shipment of sewing goods abroad. The department presented a commendable "visiting card". In my opinion, however, the return grows significantly with an increase in staff and the latest technology. I consider 10 workers in the sixth department to be clearly inadequate. In comparison, about 170 men, working both as staff and in rayon teams perform similar operations in Moscow alone, but even this number is not quite sufficient. Even with today's technology it is difficult for the collective to combat a well-armed and equipped opponent—organized crime. I would like to believe that the MVD and the republic government will try to find a chance to help the young service.

[GRUZINFORM] But, to be truthful, material expectations concerning the service, which has saved the state millions of rubles from the first, sound strange. Doesn't it seem logical to encourage it with a definite percentage of the sum saved?

[Semenov] I agree, our future lies in self-financing. The specialists share this opinion, and the leadership is undertaking suitable measures. I hope the resolution of the problem does not take years.

### **Militia Deaths Due to Poor Safety Equipment Deplored**

90UN1450A Moscow IZVESTIYA in Russian  
9 Apr 90 Morning Edition p 4

[Article by IZVESTIYA's correspondent A. Illesh and V. Rudnev, law counsellors: "After The Shots: Does Militia Have 'Safety Engineering'?"]

[Text] Gun shots shattered the silence of a Moscow lane on a dark October night. "What's that?" wondered militia sergeant Konstantin Bondarenko, heaving his last breath. He was killed on the spot by the four bullets fired almost point blank from a Nagan pistol. His fellow patrol man, Vladimir Ivliyev, reacted immediately - he ditched and got behind his car.

It was a matter of split seconds. But Ivliyev could not reach his gun. According to regulations, his gun was secreted under his service windbreaker, a bullet-proof vest and a jacket. He eventually grabbed his Makarov. "Throw your guns down or I'll shoot," yelled the sergeant, acting according to the same instruction. There was silence. He was to fire a warning shot, as the next step listed in the regulations. Ivliyev did that...

Now that we know all the details of assault against the militia men of the Moscow's 38th police precinct, the criminal has been apprehended and awaits trial, let us turn to the lessons of that tragic night.

...We can describe the episode as an accident and highlight the sergeants' courage. But ours is a different task. We want to talk about the "boring" issue of production organization involving the enforcement of public order and about "safety engineering" as applied to the dangerous profession. The point is that unfortunately today assaults against militia men are not extraordinary accidents. We are talking about a deep-rooted phenomena.

What lies on the surface are the lack of legal protection for militia men, poor technical facilities available to the units enforcing public order and more brutal ways in the world of criminals. At a deeper level, we see occasionally incompetent, or illegal action taken by the very victims wearing militia uniform. Finally, deep inside - which was hidden from the public until recently - is the absence of personal "safety engineering" in many militia men.

Minister V. Bakatin used this term very recently for the first time. In outlining the objectives to be met by militia

in 1990, he demanded that each worker master militia "safety engineering". The minister was not the only one to have identified the problem. His officers have expressed similar concerns.

"An American policeman is known to be able to use his weapon if he has to, without having any doubt or the feeling of guilt," writes V. Ryabchuk of Orel in the newspaper. "Besides, a law enforcer abroad is dressed and equipped in such a way that his counterpart in the USSR can only dream about. We seem to be like everybody else, we want to build a law-governed state. But we do not have enough people to enforce adequate order, because an ill-equipped militia man possessing no rights cuts a helpless and an absurd figure. Unlike the Ministry of External Affairs, the home-grown mafia promptly finds everything it needs without a problem... Why is it so? Who is to blame for our militia men being murdered and slaughtered like lambs?"

These are the alarming and timely questions. Here are the figures.

| Registered Number of Cases    |       |                |
|-------------------------------|-------|----------------|
|                               | 1988  | 1989           |
| Resisting a militia worker    | 7,059 | 10,174 (up 44) |
| Assault on militia man's life | 194   | 290 (up 49.5)  |
| Abuse of a militia worker     | 366   | 481 (up 31.4)  |

Let us single out from this statistics the fact that 263 militia workers were slain by the criminals in 1988, and 345 in 1989. The 28-year old Konstantin Bondarenko was one of them.

...He was getting ready for his last tour of duty the way he always did. This is the way thousands of militia workers are getting prepared. When issued the gun, he checked, according to the regulations, to be sure there was no cartridge in the cartridge holder and the safety catch was on. He then secreted his Makarov deep in the gun holder and fastened it with a belt under his coat. This too was according to the regulations. The patrol men call this ritual "to don a harness". Experienced patrol men say that you can get killed tens of times even before you try to reach your gun.

Konstantin Bondarenko started walking his beat wearing no bullet-proof vest. He did have it, but the sergeant gave his "shirt of mail" to his Comrade who he assumed was to a tougher job...

The USSR Ministry of External Affairs, MEA, received technical facilities and operations equipment worth around 100 million rubles last year. The alarming paradox is that the facilities are more meager, the equipment is more worn-out and scarce the closer one gets to the frontline of crime busting. The oblast administration offices have worse equipment than Moscow does. But one can say that it is O.K., one can wage a fight. But the situation is abysmal on what is known as the "firing line" - in rayon departments and units. A few people have to

share the same room and one telephone, there is a battered UAZ rover which one can start fast only in summer...Office equipment includes nothing but pens and desk calenders. No one even dreams there about computers or fax machines.

We witnessed the training of "commando units", their equipment and their skills. But the "commandos" is not a routine unit, and one cannot make them do patrol work or walk the beat. The latter have no training facilities, no place at which to train. Isn't it the reason that most militia victims come from among regular officers and sergeants, not from the "commandos"? It turns out that some have it all and others have nothing.

Konstantin Bondarenko was one of those who had nothing. And he died. His co-patrolman Vladimir Ivliyev had the good fortune - the criminal let him reach his gun in time... But they still were not on equal terms. One had to act according to the regulations, while the other, according to the circumstances.

We recall one militia general speaking recently. "The idea about insufficient legal protection of the workers of the internal affairs organs, imperfect legal norms regulating the use of issued weapons has gained rather broad currency lately," he said in his curt, military manner. "I cannot agree with those statements. The existing criminal and administrative law puts enough responsibility on law breakers for assaults against the life, health, and dignity of militia workers. What should be criticized then are the shortcoming in law enforcement practice."

In other words, if you follow the patrol and beat service regulations, you stay alive. If you violate them, it is your fault.

Is this so? The law allows one to use weapons only under extraordinary circumstances, when neither words nor other warnings are of any help. When one pays with one's own life for being too slow. Like Vladimir Ivliyev might have done.

Why did not the sergeant act fast enough to take out his gun, playing a game of roulette with his life? Why did he have to say extra things - in an obviously critical situation? Why was he slow in defending himself and just fired overhead? Because Vladimir Ivliyev acted strictly according to the patrol and beat service regulations.

The paradox of militia work lies in the fact that Ivliyev stayed alive not because, but rather despite the regulations. He was extremely lucky, because the criminal did not want to tempt fate any more and fled from the scene of the incident. Unfortunately, we could not have counted on the law enforcer winning it for sure.

But it is not just the matter of rules. Can you imagine that a militia operative is issued just 24 rounds of ammunition a year for practice firing? This comes to two (sic!) practice shots a month. The rayon militia workers often have to conduct even this poor training in the premises ill-equipped for combat training. They can use

the shooting galleries run by the volunteer society for the advancement of the Army, Air Force, and Navy if they are lucky, for they do not have premises of their own.

In the ill-equipped gyms (one gets what one finds), the facilities for physical training, conducted for two hours a week, are not better either. An ex-wrestler or a self-defense expert among the fellow workers is a blessing, otherwise soccer or volleyball replaces unarmed self-defense during such training.

These are not just our own observations. Here is the opinion expressed by the USSR minister of external affairs, V. Bakatin: "Service, combat, and physical training is ill organized in many ministries and departments of internal affairs. Out of the 59 executives whose firing was tested in one of the special units, 41 received F's and 9 missed the target altogether. As for physical training, every third officer produced a medical certificate waiving the taking of physical prowess tests. It is not accidental that every seventh militia man slain waffled over using his gun, and more than a half of those killed or wounded let their sights drop."

What we think is another telling example is that seasoned operatives try to carry no weapons when leaving for work. Why? "God forbid you fire a shot. The paperwork will bury you afterwards. The presumption of innocence applies to other people. We are presumed to be guilty."

Under the old bureaucratic rigmarole, each instance of using weapons is looked into by the superior and the procurator's office, just in case. Let us put more trust in an operative worker, a beat militia man and in a patrol officer. It should not be done across the board, of course, but we should trust them.

And the last thing. Konstantin Bondarenko was posthumously decorated with the order of the Red Star. The main administration of the internal affairs of the Moscow city Soviet has allocated two thousand rubles from its charitable fund to his wife, Nina Bondarenko, and their five-year old son Seryozha. Besides, the workers of the 38th militia precinct decided to donate their combined monthly salary to the widow.

But let us put the issue differently. The job of a militia man involves utmost risk. And the risk has to be paid for. It has to be paid by the state which has not been able to provide militia men with basic safety engineering up till now.

A policeman's life in America is said to cost the government tens of thousands of dollars. To all intents and purposes, our militia man's life has a different price. The one that is much lower...

### Latvian Law on Alternative (Labor) Service

90UM0463B Riga SOVETSKAYA LATVIYA  
in Russian 28 Mar 90 p 3

[Law of the Latvian Soviet Socialist Republic on Alternative (Labor) Service]

[Text] The law defines the basic economic, social and legal provisions for alternative (labor) service in the Latvian Soviet Socialist Republic.

The Law is aimed at ensuring freedom of conscience and convictions as guaranteed by the Latvian Constitution, linking this with the duties of a person toward society and the equality of all citizens before the law.

Alternative (labor) service is not related to the Armed Forces or other paramilitary organizations.

### Section I: General Provisions

Article 1. According to the Latvian Constitution, Latvian citizens whose pacifistic or religious persuasions do not allow them to serve in the troops must undergo alternative (labor) service.

Pacifism is a system of humane principles which includes a categorical protest against war and any violence, depriving them of support in any form.

Religious convictions are based upon love of fellow man and a belief that war and violence are an absolute evil, in repudiating the use of weapons in any forms.

Article 2. The aim of alternative (labor) service is to ensure freedom of conscience and convictions of the individual and the service of society in carrying out necessary tasks while observing the rights of the citizens.

Article 3. Alternative (labor) service may be served by the persons designated in Article 1 of the current Law, if there are no circumstances indicated in Article 4 of the current Law.

Article 4. Not to be sent to alternative (labor) service are the following:

- 1) Citizens who because of state of health are not fit for active military service;
- 2) Citizens who have a deferment for active military service;
- 3) Students in the regular departments of institutions of higher learning, if they wish to serve after completing the institution of learning;
- 4) Students in church schools;
- 5) Ordained priests.

The Latvian Council of Ministers has the right to stipulate other instances of releasing a citizen from alternative (labor) service.



Article 5. The Law on Alternative (Labor) Service applies to persons who have reached the age of 18.

Article 6. Upon reaching the age of 27, a citizen cannot be called up for alternative (labor) service.

This provision does not extend to persons for whom the term of alternative (labor) service has ended after reaching the age of 27 as well as for persons for whom the term of alternative (labor) service has respectively been extended on the grounds of a ruling of the executive committee of the rayon (city) soviet for the failure to report to work without valid grounds for persons for whom alternative (labor) service was deferred.

A person after reaching the age of 50 is removed from the rolls of alternative (labor) service.

Article 7. The period of alternative (labor) service is 36 months and for persons completing a institution of higher learning, 18 months.

Article 8. Alternative (labor) service provides that the citizen will perform unskilled (auxiliary) jobs or jobs corresponding to his skill in the sphere of the municipal economy, public health, social welfare or conservation at the place of his permanent residence or study.

In instances where there is no opportunity to provide work in the designated sectors, the Latvian Council of Ministers is to stipulate another sphere of employment.

Article 9. By a ruling of the Latvian Council of Ministers persons who are to undergo alternative (labor) service can be employed to eliminate the consequences of catastrophies or natural disasters.

Persons who have undergone alternative (labor) service can be called up again by the Latvian Council of Ministers for alternative (labor) service for a period of up to 6 months to eliminate the consequences of catastrophies or natural disasters.

Article 10. Citizens who have undergone alternative (labor) service are not to be called up for military assemblies and exercises.

The designated procedure extends also to persons designated in Article 1 of the current Law who previously have undergone compulsory military service.

## **Section II: Procedure for Resolving Question of Alternative (Labor) Service**

Article 11. A citizen whose pacifistic or religious persuasions prevent him from serving in the troops submit a valid request for this to the induction commission of a rayon (city).

Article 12. The request for alternative (labor) service can be submitted not earlier than the reaching of maturity but no later than the day of presenting notification of call-up for active military service.

In submitting to the induction commission a request on alternative (labor) service, the citizen simultaneously refuses acceptance of notification of induction for active military service.

Article 13. The induction commission of a rayon (city), having received the request of a citizen for alternative (labor) service, immediately forwards the appropriate materials to the Commission on Alternative (Labor) Service under the Latvian Council of Ministers or to the Commission on Alternative (Labor) Service in the same rayon (city), if such a commission has been formed in the rayon (city) in accord with Article 18 of the current Law.

Article 14. The request of a citizen for alternative (labor) service halts his induction for active military service until the review of the given request on its merits.

Article 15. In the event of the rejection of the request, the resubmitting of such a request and the review of it on the same grounds is not permitted for a period of two years from the time of rejecting the first request.

## **Section III: Commissions Settling the Question of Alternative (Labor) Service**

Article 16. A request from a citizen on alternative (labor) service is reviewed by the Commission on Alternative (Labor) Service under the Latvian Council of Ministers.

Article 17. The Commission for Alternative (Labor) Service is to be created by the Latvian Council of Ministers and it also established the size and personnel of the committee.

Article 18. In the event of necessity, upon the recommendation of the Commission for Alternative (Labor) Service under the Latvian Council of Ministers a rayon (city) soviet has the right to form a rayon (city) commission on alternative (labor) service.

The provisions of the current Law also extend to the operating procedures of the rayon (city) commission on alternative (labor) service.

Article 19. The membership of the commission for alternative (labor) service includes deputies, representatives of public organizations including participants of the movement for the defense of peace and representatives of religious sects.

Article 20. Requests for alternative (labor) service should be reviewed within 20 days from their receipt by the commission on alternative (labor) service.

When necessary this period can be extended by a separate decision of the commission on alternative (labor) service.

Article 21. A commission on alternative (labor) service has the right to invite to its session witnesses or any other citizens and demand the necessary materials.

Article 22. The review of requests in the commission on alternative (labor) service is conducted openly.

Article 23. The applicant is informed as to the time and place of reviewing the request by the commission for alternative (labor) service.

The applicant and his representative have the right to participate in the commission session.

The failure of the applicant to appear at the session of the commission on alternative (labor) service is not an obstacle for reviewing the question on its merits.

Article 24. In reviewing the request for alternative (labor) service the commission on alternative (labor) service keeps minutes and takes a decision with justifying reasons.

Article 25. A commission for alternative (labor) service has the right to take a decision with at least two-thirds of the commission membership present.

Article 26. The decisions of a commission on alternative (labor) service are taken by a simple majority of votes of the entire membership of the commission and are signed by the commission chairman and secretary.

Article 27. A copy of the decision on the question of alternative (labor) service (regardless of whether the request has been granted or rejected) within a three day period is issued to the citizen against his signature and is forwarded to the executive committee of the rayon (city) soviet and the appropriate military commissariat.

#### Section IV: Procedure for Resolving Disputes

Article 28. A decision of a commission on alternative (labor) service involving a refusal to grant the request for alternative (labor) service can be appealed by the applicant or his representative to the rayon (city) people's court within a period of 10 days from the day of receiving the copy of the decision.

The rayon (city) people's court reviews the appeal of the refusal to grant the request for alternative (labor) service within the procedures set up by the Latvian Civil Procedural Code for reviewing appeals and complaints against illegal actions by the state bodies or officials who infringe the rights of the citizens.

Article 29. The question of reopening the time for submitting an appeal in the event of contesting the decision of a commission on alternative (labor) service is settled by the rayon (city) people's court.

Article 30. The decision of the rayon (city) people's court can be appealed or protested to the Latvian Supreme Soviet, the ruling of which is final.

Article 31. If the question of alternative (labor) service is initially settled by a rayon (city) commission on alternative (labor) service, the appeal of the decision from the given commission can be submitted to the Commission on Alternative (Labor) Service under the Latvian Council of Ministers and can be appealed to the rayon

(city) people's court only after its review by the Commission on Alternative (Labor) Service under the Latvian Council of Ministers.

#### Section V: Serving Alternative (Labor) Service

Article 32. The decision of a commission on alternative (labor) service or a court ruling is the grounds for being sent to alternative (labor) service.

Article 33. The executive committee of a rayon (city) soviet issues the papers against a receipt for undergoing alternative (labor) service to a citizen who has been called up for service.

The citizen is obliged to report to the enterprise, institution or organization designated in the document at the stipulated time.

Article 34. The administration of the enterprise, institution or organization where the citizen has been sent for alternative (labor) service is obliged to provide him with the job indicated in the order.

Article 35. The administration is obliged within a 3-day period to inform in writing the executive committee of the rayon (city) soviet on the hiring of the citizen for the job as well as the failure to report to the job without valid reasons.

Article 36. The firing of citizens who are performing alternative (labor) service is possible only with the approval of the executive committee of the rayon (city) soviet.

Article 37. In undergoing alternative (labor) service the citizens have all rights and duties stipulated by the labor legislation, with the exception of the fact that:

- 1) They cannot be dismissed from the job at their own request;
- 2) They are not paid for training leaves;
- 3) The failure to report to work without valid reason is not included in the time of alternative (labor) service;
- 4) They are not given regular leaves.

Article 38. The period of alternative (labor) service starts as of the day the citizen is hired for the job.

Article 39. During the period of undergoing alternative (labor) service, a citizen cannot hold a leading position.

Article 40. During alternative (labor) service a citizen has the right to request in writing the serving of obligatory military service. The request of the citizen is reviewed by the executive committee of the rayon (city) soviet and the ruling of which is final.

Article 41. Supervision over the undergoing of alternative (labor) service is carried out by the executive committee of the rayon (city) soviet.

**Section VI: Procedure for Terminating Alternative (Labor) Service**

Article 42. Alternative (labor) service is terminated at the designated time, not including the period during which alternative (labor) service was deferred or the periods of the failure to report to work without valid reason and administrative arrests.

Article 43. The executive committee of the rayon (city) soviet no later than 10 days before the termination of the period of alternative (labor) service informs the enterprise, institution or organization of the terminating of alternative (labor) service by the citizen.

The informing of the enterprise, institution or organization by the executive committee is obligatory.

The administration of the enterprise, institution or organization is obliged immediately to inform the executive committee of the dismissal of the citizen at the stipulated time from further undergoing of alternative (labor) service.

Article 44. Should the citizen state a request to continue work, a labor contract is drawn up on the general grounds in accord with the labor legislation.

Article 45. A citizen may be released ahead of time from alternative (labor) service in the event that he:

- 1) Has been condemned to prison for more than three years;
- 2) Has become the sole provider in a family;
- 3) Has become disabled in group I or II;
- 4) On the basis of his request has been called up for active military service.

Article 46. Deferment of alternative (labor) service may be granted if the citizen:

- 1) Has been condemned to imprisonment for a period of not more than three years;
- 2) Has been condemned to corrective labor.

Article 47. The executive committee of a rayon (city) soviet in the instances stipulated in Articles 45 and 46 of the current Law approve the appropriate decision which is obligatory for the administration of the enterprise, institution or organization.

Article 48. The procedure for undergoing alternative (labor) service is set out by the Regulation Governing Alternative (Labor) Service as approved by the Latvian Council of Ministers.

Article 49. Liability for refusal to undergo alternative (labor) service occurs in accordance with current legislation.

A. Gorbunov, chairman, Latvian Supreme Soviet Presidium

I. Dudish, secretary, Latvian Supreme Soviet Presidium

Riga, 1 March 1990

**Estonian Law on Labor Service**

90UM0463C Tallinn SOVETSKAYA ESTONIYA  
in Russian 22 Mar 90 p 4

[Law of the Estonian Soviet Socialist Republic on Labor Service in Estonia]

**[Text] I. General Provisions**

Article 1. Labor service is compulsory work at enterprises, institutions and organizations in Estonia within the procedures and dates stipulated by the current Law.

Labor service is not subordinate to the USSR Armed Forces.

Article 2. Labor service is alternative in relation to military service and it is obligatory for citizens residing permanently in Estonia at an age of 18-27 years who are registered as draftees (subsequently citizens) and who out of valid reasons cannot serve in the Armed Forces.

Article 3. The length of labor service is 30 months and for citizens who have completed a higher institution of learning but have not undergone a military training cycle, 12 months.

Article 4. Labor service is carried out in Estonia, as a rule, at enterprises, institutions and organizations located on the territory of a district or a republic city at the place of residence; these enterprises, institutions and organizations may be in public health, social security, repair, construction, the social and cultural sphere, agriculture and other economic sectors as well as in the fire and rescue services.

**II. Procedure for Admission to Labor Service**

Article 5. A citizen desiring to be admitted to labor service submits a request giving reasons to the commission on labor service under the district or city (republic city) soviet at the place of his residence.

A request for admission to labor service, as a rule, must be submitted by 1 January of the year of induction for regular service.

Inductees of the year 1990 desiring to be admitted to labor service are to submit the requests by 15 April 1990.

Article 6. Under the soviets of the districts and republic cities, for resolving questions of labor service, a commission is to be formed consisting of at least seven members (subsequently a commission on labor service) with a membership set by the soviet.

Article 7. A commission on labor service:

1) Accepts a request on admission to labor service and informs in writing the appropriate military commissariat within three working days from the receipt of the request. As of the day of the submission of the request, induction of the citizen for regular service is halted;

2) It reviews the citizen's request for admission to labor service in his presence no later than within one month from the day of receiving the request and takes a decision on granting or rejecting it, informing the citizen on the day of taking the decision;

3) Over a period of three days from the moment of taking the decision, it sends written notification to the appropriate military commissariat, to the employment service of the executive committee under the district or city (republic city) soviet and to the citizen.

Article 8. A commission for labor service is a quorum if its session is attended by at least two-thirds of the commission members.

Decisions of the commission on labor service are taken by a simple majority of votes of the total number of commission members.

### III. Resolving of Disputes Arising Over the Admission to Labor Service

Article 9. With disagreement with a decision by the commission on labor service, a citizen within a period of 10 days from receiving the notification from the commission on labor service can appeal it to the people's court.

Article 10. A decision by the people's court can be appealed by the citizen to the Estonian Supreme Court.

Article 11. In the event of rejecting a request for admission to labor service, the commission for labor service is not permitted to accept and review a request submitted on the same grounds.

### IV. Procedure and Conditions of Labor Service

Article 12. Labor service is organized by the employment service of the district, city (republic city) executive committee (subsequently the employment service).

Article 13. A citizen is obliged to report at the time stipulated by the commission for labor service or the court decision to the employment service for being dispatched to labor service.

Article 14. The employment service:

1) Collects information from enterprises, institutions and organizations on the availability of vacant jobs in which the enterprises, institutions and organizations might wish to employ those admitted to labor service;

2) Issues to the citizen against receipt an order for admission to labor service at a specific enterprise, institution or organization.

Article 15. The citizen is obliged to report at the time designated in the order at the enterprise, institution or organization for concluding a labor contract.

The enterprise, institution or organization is obliged, on the grounds of the order, to conclude a labor contract with the citizen for the stipulated time.

The period of labor service begins as of the moment the citizen concludes the labor contract and the employment service is notified of this.

Article 16. The citizens who have been admitted to labor service are covered by Estonian labor legislation with the differences stipulated in the current Law.

Article 17. A citizen is prohibited from being dismissed from the job at his own request during the period the labor contract is in effect.

Article 18. A citizen has the right to petition the commission for labor service for the following matters:

- 1) For early dismissal from labor service;
- 2) For changing the place or locality of labor service;
- 3) For other valid reasons.

Article 19. Early dismissal from labor service may be granted for the following grounds:

- 1) Due to illness or disability impeding the continuation of work or residence in the given locality;
- 2) With the instituting of criminal proceedings making it impossible to continue labor service;
- 3) Upon admission to service in the Armed Forces;
- 4) For other valid reasons.

Article 20. Under a decision of a commission on labor service a citizen may be reassigned to a different place or a different locality for undergoing labor service or released from labor service ahead of time if the reason submitted in the petition are recognized as valid by the commission.

Article 21. A petition submitted on the grounds stipulated in Articles 18-19 of the current Law from a citizen, enterprise, institution or organization is to be reviewed by a commission for labor service within a period of 10 days from the receipt of the request. The commission provides notification in writing as to the adopted decision within a period of 3 working days from the day of the receipt of the request to the citizen, to the employment service and to the enterprise, institution or organization.



Article 22. Labor service is terminated at the end of the term of the labor contract and the enterprise, institution or organization notifies the employment service of this.

Article 23. If a citizen, enterprise, institution or organization does not request terminating of the concluded regular labor contract and labor relations actually continue, then the term labor contract is turned into a labor contract concluded for an indefinite period.

Article 24. The administration of an enterprise, institution or organization has the right under the grounds of parts 3, 4, 7 and 8 of Article 37 of the Estonian Labor Code, to terminate a labor contract at the end of its period and it is to notify the commission for labor service in writing of this. A commission for labor service reviews a received written notification and hands down its decision within a period of 10 days from its receipt. A commission for labor service informs in writing the citizen, the enterprise, institution, organization and

employment service and, when necessary, also the military commissariat of the decision taken within three working days from the day of taking the decision.

Article 25. A citizen who has undergone labor service is removed from the rolls at the military commissariat. He is not subject to call-up for regular service, for repeat and training assemblies.

#### V. Concluding Provisions

The work of the employment service in organizing labor service is governed by the enforceable enactments adopted by the Estonian government.

A. Ruutel, chairman, Estonian Supreme Soviet Presidium

A. Almann, secretary, Estonian Supreme Soviet Presidium

Tallinn, 15 March 1990

### **Belorussian Authorities Dispute Official Post-Chernobyl Data**

90WN0031A Moscow PRAVDA in Russian 24 Apr 90  
Second Edition pp 1, 3

[Article by S. Pastukhov: "Nightingale Hell"]

[Text] We turned off the asphalt road into the forest and shut off the automobile's engine at the nearest clearing and were suddenly immersed in the silence of tree trunks, branches and the April greenery reaching out to the glorious light, which (silence) in the first instant seems to be absolute but in reality is full of very different kinds of rustling, creaking, scraping, somebody's sighs, the beating of one own's heart, pulsating blood. And suddenly...

Oh, my God, what is that?

A tiny bird, as small as a grey sparrow, suddenly took off above my head with a flapping of wings and immediately made a quick, short, chirping noise like a shot, momentarily blocking out all other noises in the Spring world around us. Following that she produced a whole treasure of the same kind of clear warbling of its tiny larynx.

"The nightingales are singing," commented Anatoliy Vladimirovich Martynenko, director of the "Strelichevo" state farm. I asked whether this was the same place we had been twelve years ago. It was so similar.

"Yes," he agreed, "it is similar. But no, it's not the same. Nobody goes to that place any more. The radiation there is one thousand microroentgens per hour."

And here? We turned on the dosimeter and after thirty second it showed 24 microroentgens, fifty times less. And this, as Martynenko and other comrades told me, is "tolerable." According to the official view of the USSR Minzdrav [Ministry of Health], which has been elaborated on the basis of recommendations by scientific authorities, it would be possible to easily live 70 years in this place where we sat down for a hour or two to breathe the forest air. Why seventy? Because, as Martynenko and his comrades explained to me, if you adhered to certain conditions, you wouldn't accumulate or take in more than 35 bers (biological equivalent of the roentgen). Why thirty-five? That's the maximum level of radiation accumulation allowable which was determined by the experts for those who live in the zone showered by the ashes from Chernobyl.

The last time we met Anatoliy Vladimirovich was party committee secretary of the "Oktyabr" collective farm. I arrived at the farm then to get to know its famous machine operators, Heroes of Socialist Labor, corn growers Vladimir Pavlovich Kot, now diseased, and his student, Lyutian Vasilevich Sakovskiy. Lyutian volunteered to thresh a thousand tons of grain with his combine in one season, the normal workload of five people! And by that time he had done it and brought along dozens of other "thousand-tonners" of the oblast. Wonderful people.

The village of Babich was wonderful and free as well, the central "Oktyabr" farmstead. The streets are clean, the houses in good repair, the inhabitants are happy and love to joke and to sing and dance. The village was green surrounded by orchards. Now a barrier crosses the road which leads to it. From the booth next to the barrier a rather somber individual comes out and Khoynikskiy rayispolkom chairman Aleksandr Ivanovich Obukhov steps out of our car and begins to explain something to him; the former frowns more and more but suddenly waves his arm and raises the barrier.

Everything was as before: agricultural machines at the edge of the village in the equipment yard, well-constructed brick houses intermixed with wooden huts, an entire village of elegant cottages which the residents of Babchin named after former Belorussian Communist Party Central Committee First Secretary Mazurov who came to take a look at "Kot's corn" and who founded the village that carries his name. And the streets as before were spotless although it's been four years since they were cleaned. As a matter of fact, since they stopped cleaning them, there is nobody around to get them dirty, no people, no livestock.

There's not a soul now in Babchin. Not a single chicken, pig, sparrow, cow or crow. In 1943 I saw villages and villages in the Gomel region burned to the ground. A terrible sight. Today's Babchin is worse. In today's Babchin you want to pull back your hand from whatever you touch as if from red-hot steel. The air itself, it seems, is white-hot; it breathes radioactive poison. The breeze carries the aroma of generously blooming cherries...a toxic aroma. The breeze carries the singing of spring birds to us...poisoned warbling.

"Four years ago I was working as chief of the second department of the Gomel oblispolkom," Grigoriy Ivanovich Akhramenko told me during the drive here. He currently is the deputy chief of the directorate of radiology and radiation protection of the same committee. "On 26 April rumors reached us over the people's tom-tom that something had exploded at the nuclear power station at Chernobyl in the Ukraine. I called Kiev and other places but nobody could provide a decent answer. People called me from Minsk and I didn't know anything either. They told me to wait, that we'd go together. The referent arrived from Minsk and at one o'clock in the morning on the 27th we were both in Khoyniki at the office of the rayispolkom chairman Obukhov. As soon as it began to get light, the three of us continued the trip. We came to one village and there wasn't a soul, people had panicked and fled. We came to another and people were hanging around the office. And then we got to Chernobyl itself."

On 29 April approximately 150 officials arrived in Khoyniki from Gomel under the leadership of Oblispolkom Chairman Aleksandr Adamovich Grakhovskiy, currently Gomel party obkom first secretary. The oblispolkom essentially relocated to the epicenter of the nuclear disaster on Belorussian territory. And nobody had any knowledge or experience of dealing with a

radiation catastrophe of that magnitude and everyone acted, as Akhramenko said, "on intuition."

First of all children and pregnant women were removed from the twelve villages closest to the reactor which had exploded. Then they began to evacuate people entirely from another 28. By 5 May, 51 populated areas had been completely abandoned; 4,942 families were relocated to a zone 50 kilometers from Chernobyl. In all by this date 11,389 families were evacuated from the three closest rayons in the Gomel oblast, Braginskiy, Khoynikskiy and Narovlyanskiy. At the same time livestock was removed as well.

**"In those days," continued Grigoriy Ivanovich, "while carrying out the evacuation of the populated areas, we really didn't get any sleep. Many of us were sick. Some had bloody diarrhea from taking antiradioactive iodine pills. Some had bloody noses and were in a weakened state from overexertion. The oblispolkom chairman almost died. But listen to this. Not a single accident occurred on the overloaded highways at that time. From 3 to 10 June we evacuated another 28 villages, or 2,400 families. From 27 August to 30 September another 29. All together in three evacuation stages 108 populated areas..."**

Babchin is one of those that are already uninhabited today. Not far away is the small village of Mokish where people still live and that's where we went. The asphalt highway is level as a child's gaze. Along the road I unintentionally notice the fields. On the left the fields are abandoned and overgrown by weeds. On the right, literally within 20 meters they are still farmed and are covered with bright, happy green growth.

Rayispolkom Chairman A. Obukhov (we will acquaint you briefly with him; he's 43 years old, arrived in the Khoynikskiy rayon 23 years ago as an animal husbandry specialist, then worked as collective farm director, state farm director, was chosen "rayon elder," is married and has a young child but, in spite of everything, has not left, because, and I'll quote him here, "I can't leave now; I would be ashamed"). Anyway, Aleksandr Ivanovich explained that the village of Mokish used to be a part of the "Oktyabr" collective farm but then the only surviving village was transferred to the "Strelchevo" state farm under the wing of A. Martynenko whom we already know. However, Mokish, along with the entire state farm, is also doomed, it also much be evacuated because the fields in the area allotted to the farm are "fertilized" with cesium-137, strontium-90 and even plutonium...

In Mokish I almost didn't see anybody even though it was a holiday, the Annunciation. The only people around were two old men on a bench in front of a store taking care of a baby in a carriage (that means, he was conceived, born and has lived "after the explosion.") There were also several old women in the store itself. They waited politely for five minutes and then came up to the rayispolkom chairman with questions: what should they do, how are they supposed to live now, should they plant potatoes? He answered, "plant them

and if they have too much radioactivity and you can't eat them, you can make alcohol from them." It would still be useful and the old women nodded their heads. Suddenly one of them asked: "The chairman is walking around our store but hasn't bought anything. Are you afraid?" The chairman took off his cap, a cap with the price tag still on. "Then what's this?" And the old woman smiled.

That was the first smile I had encountered among the locals.

The head doctor of the Khoynikskiy rayon hospital Aleksey Pavlovich Tarasevich and his deputy Viktor Ivanovich Kobylko who have worked here for many years told us that many of their patients from the zone of strict radioactivity monitoring have powerful feelings of fear, depression and anxiety. There's quite a bit of these "commodities" these days not only among the people residing in this zone. How about in the zone itself?

Malgozhata Iyosifovna Yavosh, chief of the children's wing of the rayon hospital, (she has worked in Khoyniki for six years; her husband is also a doctor and their son goes to school) reports that the birthrate in the rayon has decreased from 20 (in the past) to 14 (at the present) per thousand inhabitants. Last year 16 of 545 newborns in the rayon had birth defects and this was slightly over three times the number the year before last. In addition, among the newborns completely unexpected defects have appeared which previously had not been seen in the rayon and which were caused by anomalies in intrauterine development and often were life-threatening. Last year three cases of malignant tumors among children were identified, cancer of the liver, kidney and sarcoma of the cecum, which also were unknown here previously. Recently, before my arrival, 18 children were taken to Minsk for treatment from the rayon who were diagnosed with thyroid gland disorders. That's what it's like right here in the zone.

The same situation on the whole exists among the population of the Gomelskaya oblast residing in the contaminated area. And increase in diseases of the blood, thyroid gland, respiratory and digestive systems, has been noted and the frequency of disorders among pregnant women has increased and illness among children has increased. And although they are taking measures here to strengthen the health care system (for example, since 1986 278 additional medical facilities have been constructed at a cost of 60.7 million rubles), the level of its development and the quality of medical care are still low. For early diagnosis and the successful treatment of the "Chernobyl consequences" there is a shortage of ultrasound diagnostic equipment, X-ray equipment with electronic-technical transformers, endoscopic equipment and biochemical analyzers. There is a shortage of approximately one thousand doctors and two and a half thousand medical workers.

**"Doctors are not eager to come to our oblast," Anton Alekseyevich Romanovskiy, chief of the oblast health department, noted this sad but true fact. "Last year of 329**

medical school graduates who were assigned to us, 86 did not show up. Many experienced doctors are leaving the oblast; 45 went abroad. It used to be a good place to work and live. It's bad now, people are running away..."

"There's no place for us to go," says Vladimir Kashperko, tractor driver from the "Strelichevo" state farm and USSR people's deputy, "although a very crucial need for evacuation does exist..."

The people's deputy (he is 33 years old, married with two daughters) acquainted me with a summary of the work conducted by the Belorussian Academy of Sciences Institute of Radiobiology on determining the radioecological environment on the farm and the evaluation of the internal and external exposure of its workers. The overall conclusion: significant levels of gamma, beta and alpha radiation have been discovered on the territory of the state farm as well as significant contamination of agricultural production and the air which has led to the incorporation of radionuclides in people's bodies. The content of radionuclides in the soil, the inhabitants' urine and the air requires further study of all radioecological parameters for an accurate evaluation of the external and internal exposure of local inhabitants. According to preliminary data, its "sum" for three years and nine months in the village of Guborevichi was (the count is in bers) 6.2, in Ivanovka and Krasnoye Ozero 4.65 and in Strelichevo 5.27. In other words people here will accumulate 35 bers not in 70 years but significantly earlier.

In December of last year V. Kashperko made a deputy's inquiry regarding the situation. Inhabitants of the villages of the "Strelichevo" state farm appealed to a variety of government entities with the request to relocate them to somewhere in a "healthy zone."

Recently the deputy received an answer from the USSR Council of Ministers which stated that according to a conclusion reached by the USSR Minzdrav and the USSR Goskomgidromet [State Committee on Hydrometeorology] the method of counting bers in the human organism proposed by the Belorussian SSR Academy of Sciences Institute of Radiobiology "cannot be recommended for utilization in resolving the question of relocating the population and establishing benefits." In other words, don't believe the institute and its director, Belorussian SSR Academy of Sciences Academician E. Konoplya. The deputy showed me the conclusion of A. Kondrusev, deputy minister of health; Yu. Tsaturov, deputy chairman of the USSR Goskomgidromet and N. Krasnoshehekov, deputy chairman of the USSR Council of Ministers State Commission on Food and Procurements, in which they state that the undisputed relocation of the inhabitants of the state farm's villages is not mandatory since the expected doses in its populated areas does not exceed 35 bers.

The deputy also acquainted me with the official conclusion of the "Moscow authorities," L. Buldakov, USSR

Academy of Medical Sciences academician; R. Barkhudarov, candidate of technical sciences, who accused E. Konoplya, the academician from Minsk, of "ignorance of the currently accepted basic principles of standardizing the exposure of the population residing in contaminated areas." That is to say, he gave his colleague a "D."

"Far away from us," said V. Kashperko in this regard, "it is easy for some Muscovites to draw optimistic conclusions and comfort us from a distance. They should come themselves and personally calm the people...Now that I mention it, one did come for one and a half days and created even more panic. He brought with him a full canister and the people thought it was beer; it turned out it was water from Moscow. He was afraid to become infected."

Why complain about the "Moscow scientists" when "our own" Belorussian scientists are no better. During my trip to Gomel an interrepublican scientific-practical conference was underway on the economic and morale problems caused by Chernobyl. At the conference it was mentioned that just in the republic approximately 50 academic and industry-affiliated scientific research institutes were involved in the scientific aspects of eliminating the consequences of the accident. However, except for an affiliate of the NII (scientific research institute) of agricultural radiology no concrete directions or recommendations had been received yet. Two years ago on a considerable part of the evacuated zone the special Poleskiy state ecological preserve was created, where the Belorussian SSR Academy of Sciences was supposed to organize scientific research projects to study the climatic and ecological problems associated with the presence of radioactive contamination. But it has not even begun work on this.

The inhabitants of the oblast still do not have an accessible booklet regarding the rules of behavior in contaminated areas...

And people don't know whom and what to believe. Doctors in the same Khoynikskiy rayon hospital said that inhabitants of the rayon have begun to flatly refuse to submit to medical examinations. It's useless, they say, why should I bother. That to a degree is right. According to instructions from "above" the doctors have filled out up to 160 thousand cards on these examinations and have sent them off to scientists and you'd think that they would at least send some kind of answer.

Moscow and Minsk scientific authorities argue among themselves: which concept is better: the 35-ber concept or the "no-threshold" concept, that is, one which does not provide for any maximum limit of the accumulation of radiation in the human organism but which requires decisive measures to be taken, evacuation, if it is not possible to obtain clean production from the land contaminated by radionuclides. The inhabitants of the same village of Ivanovka are in a state of complete desperation. They can live in their village but the pigs that they raise have to be slaughtered and buried. They can't be



eaten. And the children cannot go into the forest or to the meadow or swim in the river. In general walking on the street is not allowed. Twelve hours under the roof of the school and twelve hours under the roof of their parents' house.

The argument between the Moscow and Minsk scientists, as was explained to me in the oblsposkom, is not as much a theoretical one as an economic and mercantile one. According to the "Moscow" concept less money is needed to combat the consequences of the accident than that which the Belorussians are seeking from the government of the country. As it is, resources are in short supply and therefore they reply to the deputy-tractor driver V. Kashperko that it is possible to live in his village and in the neighboring villages. If, on the other hand, you want to relocate, be our guest, but do it at the expense of internal resources. But there are not enough of these resources "internally" either.

Poor people. My poor countrymen.

So I am participating in a planning session in the office of the "Strelchevo" state farm director. Outside it's a spring day, but it's not about planting or some other spring work that the people who have gathered here are talking about. One has a daughter who is studying in Minsk who was planning to get married. But the groom's parents found out that she was from the Khoynikskiy rayon and forbade him to get married: what if the grandchildren are deformed? Another's eight-month old baby started to cry; it's alright if the baby is teething, but what if...

Outside the sky is black with crows. Some are building nests in old trees and some (I never saw such a sight before) rush in groups and destroy the nests, tossing them among the branches. It turns out that not all the crows are local. Many came here from abandoned villages like Babchin. That's how it happens, if people leave, their birds go too.

God, our small feathered brethren cry out like madmen when they are brought to ruin!

### **Official Aid to Chernobyl-Affected Belorussian SSR Ineffective**

90UN1624A Moscow SELSKAYA ZHIZN in Russian  
25 Apr 90 p 4

[Article by A. Gulyayev: "Echo of Chernobyl: Around the Disaster"]

[Text] Tomorrow is the fourth anniversary of the accident at the Chernobyl AES. Some things are being forgotten, while some have become ordinary. But the most important thing is not happening: time is not healing the wounds. The further that dark day recedes into the past, the greater the problems which arise, the more hopes are crushed.

Don't get the impression that nobody is doing anything in the "zone." SELSKAYA ZHIZN has written many times about the millions of rubles invested, roads paved, hospitals repaired, about self-sacrificing doctors and scientists and upright party and soviet workers. Today the author of those articles would like to talk about something else: about the development of the process of politicalization around the Chernobyl tragedy, where some, covering it up, fight for honors; others fight for power; a third group creates opposition to that power; a fourth vulgarly makes a profit, and the fifth... The "zone" itself is beginning to look like a huge pirog, with everyone tearing off as big a piece as he can as quickly as possible. People living there no longer want to believe anybody.

It was all before our eyes: the Gomel Train Station filled to overflowing, spontaneous meetings, rumours about evacuations and secret preparations for them, train cars on reserve tracks, feverish inventories of vehicles.

Later there are other images, and they remain in the memory: The construction of settlements for evacuees from the 30 kilometer zone, tears of farewell to one's native home, and, finally, a string of vehicles full of belongings.

True, one of the strongest feelings of that time is the feeling of expectation. We expected some decision or recipe. We wanted for somebody to tell us how to live. This recipe came from the USSR Academy of Sciences' Biophysics Institute. It was a troublesome but specific recipe: Consume "clean" products, wash your coveralls and equipment, seal up tractor cabs... Then, they said, there is a possibility of receiving not more than 70 (and later 35) rem in a lifetime.

Nobody knew what these "rems" were, but they sounded consoling. We hopefully started paving roads, laying pipelines and constructing buildings. Great labors were begun, but there were not enough resources, capacity and working hands. However, hopes were again placed upon the center. After all, like a good grandmother with a large family, it would divide things up: "This for you, and that for you..." Sometimes it turned out that "this is not for you." However, the obedient grandchildren did not protest. They had one thing in mind: to carry out the recommendations for safe living made by a group of specialists headed by L. Ilin, director of the Biophysics Institute. Also, at that time, there were no other ideas. There were, of course, doubters, those who later became the authors of the so-called concepts of the Belorussian scientists. However, they kept disciplined silence until March 1989, when the secrets were finally disclosed.

In brief, the four years since the accident were years of hope placed upon the center, both for a scientific solution to the problem and for materials and technical assistance. People in the "zone" had not yet learned that, in accordance with USSR Council of Ministers' Order No 2640, about 68 million rubles of the money entering Account No 904 (for Chernobyl), into which went public donations, were given to the culprit, the Ministry of

Atomic Energy. They also did not know how prophetically true were the predictions of the Belorussian scientist, Professor E. Zbarovskiy. Because of the extreme psychological stress there were changes in lifestyle, reductions in immunity, increases in the incidence of hypertropic illnesses, sugar diabetes, chronic bronchitis, and heart disease...

However, it took 3.5 years for the republic government to approve a program for eliminating the consequences of the accident, a program now being discussed by the USSR Supreme Soviet. Last December and January the Belorussian CP Central Committee and the republic government passed two decrees directed at speeding up the implementation of the Chernobyl program. In the latter local governments were authorized to "...see that evacuees were given housing from the free housing fund and from houses introduced in December 1989 and the first quarter of 1990." It was also decided to compensate people for the property they abandoned, not expecting the construction of settlements.

However, there were disruptions in the implementation of this document, that seems necessary and humane at first glance. Labor collectives in the clean zones did not rush to give their houses to evacuees. That which was offered in rural localities often would not be accepted even by somebody who had lost everything in a fire. It is difficult to blame anybody for this, because even people in the cities are not to blame. When one has been waiting two decades for an apartment and suddenly they attempt to take you off the list, then, either intentionally or unintentionally one part of the republic was set against another.

Moreover, it turned out that in the clean zone they tried to allocate housing and accept evacuees, but only those able to work. It turned out that those who had fought as partisans in this land, restored it after the war and created new glory for Belorussian kolkhozes were not needed by anybody. Some received compensation for their dilapidated homes and were sent to their children in the cities. But they were a burden even there, in the small apartments. Therefore many returned to their old places, not really theirs, but at least home. There are about 50 such old men and women just in the settlement of Veprin, in Cherkovskiy Rayon, Mogilev Oblast, where contamination levels exceed all permissible norms. Agreed, in the time remaining to them they may not receive 35 rem, but how can they live when everybody else has left?

In a word, from the very start the document was not well thought out. Recently the Belorussian CP Central Committee Buro examined another decree: one on speeding up the implementation of the two previous ones. The explanation is quite simple. After years of silence and inactivity, the powers have to rehabilitate themselves. Also, there are elections ahead.

V.S. Leonov, first secretary of the Mogilev Obkom of the Belorussian Communist Party, said: "In spite of all their

attractiveness, the latest decrees by the republic leadership are not solving the problem. The evacuees will be scattered throughout the republic, they will not be in a compact mass. This means that nobody will talk about them and nobody will have to work with them. Recently, on 10 April, at a meeting of the Presidium of the Belorussian Council of Ministers it was decided to take resources from the suffering oblasts in order to increase housing construction in other regions. This is a continuation of the same short-sighted policy.

The abrupt change of the attitude of republic leaders toward the center becomes understandable in this regard. While previously, back in 1987, at all the agencies they deplored me, "For goodness' sake, don't use your articles to get us into a quarrel with Moscow," today everything is different. The same people mercilessly criticize the center, saying that nothing more can be expected from Moscow. In a television interview recently, A. Kichkaylo, deputy chairman of the Belorussian SSR Council of Ministers, announced that if things continued in this way less would be put into the union fund. At a press conference, his colleague, V. Yevtukh, also a deputy chairman, said that it was he who had brought glasnost to Chernobyl. This has a remarkable number of untruths, to put it mildly. In 1987 he was one of the main guards on the road to openness. Incidentally, another member of the government, Yu. Khusainov, chairman of republic Gosagroprom, has refused four times to meet this author, because, in his words, "Everything is normal with us."

If they and people like them are now playing the Chernobyl card for their own purposes then what can one say about informals, grouped together under the Belorussian Popular Front? From podiums, newspapers and television screens resound the slogans "Chernobyl is the intentional genocide of the Belorussian People!", "Chernobyl is a continuation of the Stalinist policies of the 1930's!"

Some representatives of Belorussian science are also applying the heat. Serious ones, such as Ye. Petryayev, I. Lishtvan, Ye. Konoplya and others, have their own ideas about eliminating the consequences of the accident. Others are engaged in exposing the cover-up. Read this and be amazed. It turns out, everyone talked, everyone warned about it. However, up until 1989 there were no printed materials signed by them. They say that they had not been published. D. Grodzinskiy, correspondent member of the Ukrainian SSR Academy of Sciences, wanted to have a word about the danger of small doses of radiation. He said it in the journal ZNANIYE—SILA. Perhaps it is not so much a matter of the prestige of the journal, but the amount of civil courage, something that has only now been awakened? Moreover, somebody created a situation where the voices of the most prominent radiology specialists were unheard. The appeal of 92 scientists to the country's leaders was called "immoral" and "anti-people."

You must excuse the comparison, but all this at times reminds me of the time when science developed on the basis of ideology and gave birth to Lysenkoism. The most prominent scientists were not usually heard then either; they were usually convicted.

Our brother journalists are also playing their own game. After 3 years of disciplined silence the Belorussian press is suddenly printing sensational stories, exposes and accusations. The louder they howl, the greater the chance of becoming "savior of the Fatherland." Seriously reasoned material is so rare that one can name only a few authors. There is something to write about. All the more so for the party press. Communists in the suffering regions were often expelled "for political immaturity and small-mindedness during the time of radiation contamination." Decrees expelled, expelled and expelled. The newspapers were silent. In Slavgorodskiy Rayon in Mogilev Oblast there was the case of Ye. Vorontsova, CPSU member and chief agronomist at the local RAPO. She left the "zone" because she was concerned about the health of her children. A decree expelled her. Take the Krasnopol'sk Raykom for example. In 1986, 14 communists left the rayon without permission from the raykom and in 1987, 76 left. In 1986, 14 were expelled and in 1987, 41 were expelled.

I was not able to calculate how many were expelled from the party on these grounds. But I do know that it was not treason against the party that forced many to make this difficult decision, but normal concern about the fate of their children. Hasn't the time come to admit the error of this harsh line?

Many could talk about how it was and how it is. But time goes on and the rems accumulate. Therefore, it is better to move on to conclusions. Here is the first: Days, months and years have irretrievably passed while we waited for decisions from above. However, attempts to solve problems on our own are not successful. First of all because republic forces are fragmented, everybody is playing his own game. The answer is simple, it is necessary to combine forces! Scientific forces, both in the center and on the periphery must finally work out common concepts. Public forces can speed up the process somewhat. There have been enough mutual accusations! There is no honor worth sacrificing the truth when it affects the fate of hundreds and thousands of people. The Belorussian Popular Front has done quite a lot to arouse public opinion. It is time for the republic leadership to honestly admit this. No matter what decision the USSR Supreme Soviet makes, the scattered forces in the republic will not be able to implement it.

Here is another point. One of the main reasons for all the troubles is the lack of legal protection for the population in the "zone", and of laws regulating the conditions for living in contaminated areas. It is necessary to finally understand that the "zone" does have ordinary measurements. It is not a natural catastrophe, but a global catastrophe. Therefore, there must be a law about it. This law should grant rights to all of its inhabitants, most

importantly the right to state protection from long term consequences. Many of those people who tried to deal with the accident at the station are now living miserably at medical institutions. People are dying today in all corners of the country, but it is said that their illnesses have nothing to do with Chernobyl.

We continue not to overcome the misfortunes, but to dance around them. How sad that this must be said 4 years after the tragedy. Today, on this grim anniversary, harsh reality looks us in the eye and demands deeds.

### **RSFSR Council of Ministers Reviews Draft Chernobyl Recovery Plan**

90BN00564 Moscow SOVETSKAYA ROSSIYA  
in Russian 29 Apr 90 First Edition p 1

[Unattributed report: "At the RSFSR Council of Ministers: Program Approved"]

[Text] At a regular session the Presidium of RSFSR Council of Ministers reviewed the draft of the RSFSR State Plan for Eliminating the Consequences of the Accident at the Chernobyl AES in 1990-1995. That draft takes into consideration the comments and recommendations of USSR Gosplan's State Expert Commission and the USSR people's deputies, which were expressed by them during the discussion at a joint session of the Committee for Questions of the Ecology and the Efficient Use of Natural Resources and the Committee for the Protection of the Nation's Health and at the third session of USSR Supreme Soviet. The program draft was also reviewed and, for the most part, approved by the Presidium of USSR Council of Ministers.

The session approved the program of first-priority measures for 1990-1992. It stipulates the resettlement of citizens away from the contaminated rayons. For these purposes it is planned to activate approximately 2 billion square meters of housing, and 190 million rubles are being channeled into developing the capacities of construction organizations and the production of building materials. It also approved measures intended for a more prolonged period of time—until the year 1995. Provision is made for the development and improvement of medical services, the carrying out of a series of measures to improve the health of the population, especially the children. Further development of the agroindustrial complex is planned, as well as a buildup of the production potential and the restoration of the losses linked with the elimination of farms in the resettlement zones, the development and reinforcement of the material-technical base of the social sphere, and the carrying out of operations to improve the amenities in the populated places. Emphasis was made of the need to provide scientific support for the operations linked with implementing the planned measures.

In order to fulfill the RSFSR State Plan for Eliminating the Consequences of the Accident at the Chernobyl AES in 1990-1995 stipulates the channeling of more than 10 billion rubles.

### All-Union Greens Movement Established

90WN0056B *SOVETSKAYA KULTURA* in Russian  
21 Apr 90 p 2

[Article by A. Budennyi: "There Is Such a Party... These Are the Greens..."]

[Text] The movement is more imposing than stagnation. We were able to be reconvinced of that when we were present at a press conference that was held at the USSR MID [Ministry of Internal Affairs] Press Center. The topic was the creation of the All-Union Sociopolitical Movement "For the Rebirth of the Environment and Morality" (the Greens Movement).

"We do not ask anyone for anything. Those who respond to our appeal will be considered to be our comrades in arms, our partners, and our shareholders. We do not seek sponsors. On the contrary, we are ready to render all kinds of support, and primarily material support, to all those who join our ranks and are ready to work with us in our projects, with our goals, under our banners." That statement is made in the movement's message. The movement has not yet been registered, but a constituent congress that was held on 6 April 1990 in Moscow indicated that there is an interest in the movement, and that interest is manifesting itself primarily at the major plants, factories, and other enterprises that can render assistance to the environment. As of today, the movement unites more than 40 major enterprises of union-wide importance. As movement chairman A. I. Chabarov, USSR people's deputy, said, "Poisonous clouds pour death-dealing rains onto our planet. Mothers feed their children food that has been poisoned by chemicals. Plague-infected nature, as it dies, takes vengeance mercilessly on us, by killing all living things. We call upon all the inventors to begin immediately to develop technological schemes and units that will enable us to purify the land of the filth resulting from the perverted striving for profit in industrial progress. If the companies that produce bottled water engage instead in purifying the rivers and the oceans, we, all the people on the earth, will pay them not only with our genuine gratitude, but also by the same measure of profit. Let us work together to finance the creation of solar-powered automobile engines and electric-power stations. If there is a high percentage of profit, the producer companies can perform miracles of resourcefulness and inventiveness."

Thus, it is proposed that, in the skirmish with profit, use be made of the most fearful weapon—superprofit. This year the movement has planned more than 100 separate actions to purify the environment, including the providing of assistance to Ufa

I would like to think that the Greens Movement will prove to be not simply something that serves a need, but that, rather, is vitally necessary to our society.

### Commission Announces Ufa Chemical Accident Findings

90WN0056C *Moscow PRAVDA* in Russian 30 Apr 90  
Second Edition p 8

[Governmental Commission's Report on Eliminating the Accident in the City of Ufa]

[Text] The governmental commission created on instructions from USSR President M. S. Gorbachev and in conformity with the 10 April 1990 USSR Council of Ministers order No. 554—consisting of V. K. Gusev, deputy chairman of USSR Council of Ministers (commission chairman); I. V. Lemayev, USSR Minister of the Chemical and Petroleum-Refining Industry; A. A. Banenko, deputy chairman of RSFSR Council of Ministers; N. M. Olshanskiy, chairman of Agrokhim; O. M. Nefedov, vice-president of USSR Academy of Sciences; M. P. Mirgazyamov, chairman of the Bashkir ASSR Council of Ministers; A. I. Kondrusev, USSR chief sanitation physician; and V. I. Lapshin, deputy chairman of Agrokhim—after traveling to the scene, viewed the consequences of the contamination by phenol of the drinking water in the water-supply system for the southern part of Ufa and the steps that were taken to eliminate the consequences of the accident.

As is shown by a careful study of the situation, the reasons why the phenol got into the water were the crude violations of production discipline; the criminally sloppy attitude of the service personnel in the Khimprom Association toward the operations for reloading that product; and the large spillings of the product; as well as the failure to observe the proper conditions for pumping off the industrial and rain runoffs containing phenol.

With the beginning of the intensive melting of the snow, the flood waters covered the territory around the drainage pumping station for industrial and rain runoffs, and, now mixed with phenol, got into the Ufa River, from which, by means of a water-collection system, drinking water is supplied to the southern part of the city of Ufa.

I. In the evening of 29 March 1990, a strong odor of phenol was detected in the drinking water. On that same day an emergency commission of the city's ispolkom was formed. As a result of the prompt actions, on 31 March the source of the pollution was localized; the population was informed about the rules for using the water; round-the-clock operation of medical institutions was organized; and provision was made for shipping in drinking water in railroad tank cars for the population in the southern part of the city, public-health organizations, children's preschool institutions, and enterprises in the food industry. There was a doubling of the sale of mineral water.

The workers in all the city services, jointly with representatives of RSFSR Minzhilkomkhov [Ministry of Housing and the Municipal Economy] and with the production collectives, carried out a large amount of



work, thus making it possible by 12 April to normalize the quality of the drinking water and to bring the phenol content in the water-supply system of the southern part of the city to 1-1.5 of the standard for open bodies of water. On 13 April chlorination of the tap water in the southern water-collection area was resumed, on 14 April the drinking water corresponded completed to the state standard, and on 18 April all limitations on water use were removed.

As was noted by all the members of the governmental commission, the actions taken by the local agencies and all the services of the city's economy were prompt and efficient.

II. The governmental commission and the soviet, party, and economic agencies of Bashkiria devoted special attention to the population's health condition. Commission members specially reviewed that problem, and had discussions with workers and the population.

USSR Minzdrav [Ministry of Health], jointly with Bashkir ASSR Minzdrav, established that from 29 March through 20 April 356 adults and 54 children were taken to the city's therapeutic institutions. In 278 of the persons admitted, no objective signs of the effect of the contaminated water were detected. As of 23 April, 15 persons were in-patients, including seven children with aggravations of previously existing chronic diseases of gastrointestinal tract. No cases of phenol poisoning were established. Continuous out-patient treatment for children was begun.

In order to render assistance to public-health institutions, specialists were sent to Ufa from USSR Minzdrav and RSFSR Minzdrav, and provision was made to organize the additional delivery of medicines and medical preparations, with a total value of more than 3 million rubles (glucose, Analgin, Festal, and pancreatin—a total of more than 20 different products), Rodnik household filters (100,000 of them), food products (sugar, flour, juices, vegetable oil, etc.), as well as manufactured articles (refrigerated chests of various sizes, electric coffee and tea makers, water heaters, toilet soap, etc.).

Monitoring is being carried out to oversee the first-priority measures to purify the territory around the basic water-collection area at the Ufa River, to eliminate the violations in removing industrial waste products to the city dump, to complete the construction of the environmental-protection projects, and to accelerate the construction of the second phase of the city's water main and to activate it in the third quarter of 1991. Instructions were issued to allocate the necessary material-technical resources for these purposes.

In conformity with the numerous requests from the public, a group of specialists from the World Health Organizations has been invited to provide consultation. The arrival of that group is expected on 30 April.

Meetings were carried out with Ufa's party and economic aktiv, and there was a two-hour dialogue over television and radio with representatives of the public. Commission members met with informal unions and a united committee of the public organizations of Ufa and Blagoveshchensk.

A file identifying the persons responsible for the accident that occurred has been handed over to the procuracy.

For Agrokhim's Khimprom Production Association in Ufa, measures have been worked out, the implementation of which by as early as 1990 will completely preclude the possibility of any unpurified runoffs from getting into the Ufa River.

An order extending to the Agrokhim association stipulates the completion of the construction during the current year of major purification structures, the creation of systems for automated monitoring and emergency switching off of the equipment and product pipes in the event that they are not in working order, as well as the carrying out, during the next two years, of the fundamental remodeling of the association's basic shops and the taking of several of them out of operation.

III. For purposes of fundamentally improving the ecological situation in Ufa, the governmental commission, jointly with the local agencies of authority in Bashkiria, with a consideration of the recommendations from public organizations, has sent to USSR Council of Ministers a draft of the decree that sets down the measures to remodel the enterprises in the chemical and petroleum-refining industry that are situated in the city.

#### **Economist Sees Environmental Control Funding as Economic Stimulus**

90WN0056D Moscow ARGUMENTY I FAKTY  
in Russian No 17, 28 Apr-4 May 90 p 6

[Article by V. Maklyarskiy, candidate of economic sciences: "Ecology and Economy—13 Billion Is Not Enough!"]

[Text] At the 3rd Session of USSR Supreme Soviet it is planned to approve the State Plan for Environmental Protection. Therefore it is of indisputable interest to compare our efforts in this area with the foreign experience that has already been accumulated.

The following table was prepared on the basis of data provided by USSR Goskompriroda [State Committee for Environmental Protection] and the Economic Analysis Bureau of the U.S. Department of Commerce.

Expenditures for Environmental Protection in the USSR and the United States in 1987 (billions of dollars)

|               | total | including |       |             |
|---------------|-------|-----------|-------|-------------|
|               |       | air       | water | solid waste |
| USSR          | 16.28 | 2.08      | 10.3  | —           |
| United States | 81.06 | 31.8      | 32.5  | 16.7        |

In absolute terms, we expend for ecological purposes, at most, one-fifth of what the Americans expend (for converting the rubles to dollars, the domestic official currency-exchange rate was used). With a consideration of the actual, more realistic ratio between the purchasing power of the ruble and the dollar, that difference would have to be even greater. And yet, with regard to territory and size of population, we exceed the United States and therefore, according to logic, we should expend for environmental protection more than the United States does. The share of our expenditures for environmental-protection purposes in the country's national income is 1.6 percent, and in that of the United States, 2.2 percent.

Another situation that attracts attention is the difference in the structure of these expenditures. In the USSR and the United States, the largest expenditure item is current and capital expenditures to combat water pollution (in the USSR this is more than a half the total expenditures, and in the United States, 40.1 percent). But in the U.S. environmental-protection budget, the most dynamic item is the expenditures to eliminate solid waste and render them harmless. During the past decade these expenditures increased at the highest rates. But in our country that item is completely absent. And yet solid waste is the largest potential source of environmental pollution. We might also add that the Americans expend for scientific research and development in the ecological area every year \$2.3-2.6 billion. How much we spend for these purposes is unknown.

The basic weight of the environmental-protection expenditures in our country lies on the much-suffering state budget. But the chief source of the load placed upon the environment is the activity of enterprises. In the overall volume of capital investments in industrial enterprises in the USSR, the share of the investments intended for environmental-protection purposes does not exceed 2 percent, whereas in the United States it is 4-5 percent, and in Japan even more. On the whole, however, the private sector in the United States assumes exactly half of all the appropriations to combat environmental pollution. In the FRG [Federal Republic of Germany—West Germany] the share is 77 percent, and in England, 25 percent.

A result of the growing expenditures for environmental protection measures was the formation in the western countries of an extremely broad market for ecological equipment and the arising of entire branches with a multimillion turnover that specialize in producing anti-pollution equipment. Thus, the ecological measures and the fight against the pollution of the environment are

becoming a new factor in economic growth. In our country we do not yet have these branches or market for ecological equipment.

For 1990 the Soviet Union has allocated 13.3 billion rubles for purposes of ecological monitoring. But this is not the entire job. The satisfying of ecological needs, and the interests of preserving the environment, place on the agenda the question of the need to discontinue a number of production entities and to stop the production and use of definite types of output. In this regard, the ecological needs frequently conflict with the traditional material needs.

A definite amount of experience in preventing such situations exists in the western countries, although even here the choice between the environmental-protection interests and the satisfying of the current material needs remains extremely painful. We are talking first of all of the broad introduction of complete ecological-impact studies for all the economic plans being prepared and implemented. In addition, practically any citizen group has the right to dispute the desirability of these plans in the court.

However, the fundamental resolution of the problem of combining the ecological and economic goals, in the final analysis, lies in converting the entire national economy and introducing a fundamentally new model of use of the natural resources. The basic parameters of that model must be: the efficient placement of the productive forces; economical measures in the use of natural resources; and introduction and use of ecologically clean technological schemes everywhere.

#### Goskomgidromet Chairman Izrael Updates Chernobyl Radiation Aftermath

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First Edition p 4

[Article by USSR State Committee for Hydrometeorology Yu.A. Izrael: "Chernobyl-90"]

[Text] Another year has passed since the Chernobyl accident but the radiation environment (associated with its effect on people) and the reaction of the population itself to the situation remains complex.

During the past year a lot of material was published in this regard. An informational breakthrough occurred in this field. In May 1989 all the restrictions on publishing material on Chernobyl were officially lifted. A number of journalists had begun to raise controversial issues in the press earlier and our lengthy article on Chernobyl appeared in PRAVDA before May on 20 March 1989. As you recall, a lot of technical materials were published back in 1986 for passage to international organizations.

This particular article portrays the current situation and the events of this year (within the framework of the USSR Goskomgidromet's [State Committee for Hydrometeorology] competence.

The USSR Goskomgidromet first of all published information in the form of open brochures and maps about the radiation environment throughout the entire country where contamination levels were more than 5 curies/sq km; the area of this territory is 28 thousand square kilometers (and recently down to the level of 1 curie/sq km); data on thousands of cities and towns located within this territory as well as significant information on areas with lower contamination levels where measurements and research are continuing.

Separate brochures came out for the Ukrainian SSR, Belorussian SSR and the RSFSR. The average level of contamination (cesium-137 and strontium-90) for each town is indicated as well as the overall number of samples on which the figure was calculated.

Naturally, for many populated areas, especially large ones, this data is insufficient because even within the limits of one populated area the radiation levels can differ widely as a result of spotty and uneven contamination. For example, in the northern part of the Belorussian city of Bragin the local concentration of cesium-137 contamination is a little more than 1 curie/sq km, but in the southern part of the city, especially along the Braginok riverbed, the level is more than 40 curies/sq km. An analogous situation developed in the urban-type village of Polesskoye, where the contamination level measures from a few curies/sq km to a hundred and more, and in Narodichi, Narovl and a number of others. It is precisely in these populated areas where the most tense situations logically exist. Detailed diagrams (maps) have been compiled of these populated areas.

Nonetheless, major complaints have been directed towards the USSR Goskomgidromet regarding insufficient information; after all, the population wants to know more than just the "average" figures and to have not only a diagram of the contamination levels in the village. Each inhabitant wants to know the situation at the location where he lives, in his house, in his garden, on his street. And even though such detailed data are not required for a prognosis of exposure doses, the wishes of the population seem quite justified.

The USSR Goskomgidromet has vastly expanded its work; it has issued and published maps showing radiation contamination levels (especially beyond the limits of the high contamination zone - these rayons were taken care of in the very beginning) of different localities (not diagrams, but real topographical maps, the restrictions on the publication of which were also lifted) using typographical methods in the Belorussian SSR, Ukrainian SSR and the RSFSR. Excerpts from these typographical maps appear in the photographs included in this newspaper (of the most contaminated areas). Data about the radiation environment and maps of contamination levels are published by republic, oblast and rayon mass media organizations.

Brochures on all contaminated populated areas indicating the results of all measurements taken are being prepared.

The interdepartmental commission on the study of radioactivity continues to function regularly. This commission discusses data obtained by various organizations and coordinates their actions (after all the volume of work is very large; the number of samples already exceeds 200 thousand).

And although on the whole the radiation environment did not change very significantly during the past year, new information and new questions have appeared.

I will remind you that the USSR Goskomgidromet, in conjunction with the USSR and republic Academies of Sciences, the USSR and republic Ministries of Health, the Ministry of Defense, Gosagroprom and other departments, has conducted massive work beginning in the days immediately following the accident on measuring the radiation environment (in an area of approximately 500 thousand square kilometers), and has measured in even greater detail local contamination levels, the concentration of radioactivity in surface water and other natural environments by taking samples of certain isotopes, devoting special attention to the longer-lived isotopes, cesium-137, strontium-90, plutonium-239 and 240 and cesium-134. All this data was sent to supervisory organs in the center and in the republics, to interested departments and local authorities for necessary steps to be taken.

Before presenting the material from the most recent measurements and research, I will answer (or rather, repeat the answers) to the two questions mentioned most often in the press:

- how much radioactivity was released into the environment after the accident and what was the radiation environment in large cities and towns?

Concerning the first question, it is necessary to note that considerable amounts of radioactivity were released from the damaged reactor (after the first explosions or "backfires") for approximately two weeks and in describing this radioactivity, we need to correlate it to a particular date. Therefore, in the materials presented to the MAGATE [International Atomic Energy Agency] this level has been correlated to 6 May 1986 (approximately the end of the emissions).

Beyond the boundaries of the nuclear power station the average release of all radionuclides was (within the USSR) 3.5 percent of the overall quantity of decay products which theoretically had accumulated in Block 4 of the reactor during its operation (I emphasize that this percent refers to the radioactive products of decay and not to nuclear fuel. These are different things). More than 20 percent of iodine isotopes were released, about 15 percent of cesium-137 (taking into account the quantity which carried beyond the borders of the USSR). The average figure of 3.5 percent came about as a result of

direct measurements of decay products over the entire USSR, compiling those results and correlating that quantity to the amount which had accumulated in the reactor before it was destroyed. This is the objective reality and not an attempt to underestimate the danger as certain journals have stated. After all, it is the quantity of decay products which has created the radiation environment which we have observed, and it is not a minor amount; it is serious and dramatic.

The question about radiation levels in large cities and towns during the first days after the accident (the question was raised in connection with the possible or necessary evacuation of the population of various cities and large towns).

First of all in Kiev - average levels of 1.4 mr/hour were recorded on 30 April 1986 (maximum on Prospekt Nauki - 2.2 mr/hour); by evening the levels had decreased. On 1 May on the average they were 0.61 mr/hour; 2-6 May, 0.25 - 0.85 mr/hour; 7 May, 0.7 mr/hour; 8-14 May, 0.21 - 0.5 mr/hour; 15 May, 0.2 mr/hour and during the second half of May the levels were from 0.16 to 0.28 mr/hour. These levels were measured regularly by Ukrgidromet [Ukrainian Committee on Hydrometeorology] at different locations in the city and were presented in a timely manner to the Ukrainian Communist Party Central Committee, the Ukrainian SSR Supreme Soviet, the Ukrainian SSR Council of Ministers, Civil Defense Headquarters and other organizations. These levels were significantly higher than the background, normal, natural levels (approximately 100 times) but the statement in the press (MOSKOVSKIYE NOVOSTI, 15 October 1989) that these levels "exceed the maximum allowable limits by 100 times" is a gross error. These levels were significantly lower than the levels which led to the exposure doses established by the USSR Minzdrav [Ministry of Health] as the maximum allowable during the accident at the Chernobyl nuclear power plant (10 roentgens, or rads during the first year as a limit, above which the evacuation of the population is mandatory). This significant, in our view, measure of radiation contamination, 10 roentgens during the first year, with the type of contamination present, corresponds to a radiation level of 5 mr/hour on 10 May 1986; in Kiev on that day the level was 0.32 mr/hour. In other large cities the reading was (in parenthesis is the date of the maximum reading): Minsk - 0.06 mr/hour (1 May 1986), Gomel - 0.5 mr/hour (30 April 1986), Chernigov - 0.4 mr/hour (30 April 1986), Rovno - 0.125 (29 April 1986), Chernovtsy - 0.45 (2 May 1986), Brest - 0.06 (30 April 1986), Kishinev - 0.06 (4 May 1986), Chernobyl - 24 mr/hour (1 May 1986) (evacuated).

In Moscow and Leningrad there was essentially no increase in radiation levels as a result of the accident at the Chernobyl nuclear power plant.

Currently the strength of gamma radiation doses in Kiev is 0.013 - 0.018 mr/hour, Rovno - 0.013, Chernovtsy - 0.012, Gomel - 0.013 - 0.014, that is, they are close to background levels.

In 1989 the USSR Goskomgidromet, in conjunction with other departments, continued taking measurements in great detail of the radiation environment and the level of contamination in a large number of populated areas. The characteristics of the measurements at each point in time were dictated by the allowable radiation environment criteria established by the USSR Minzdrav. The main criterion during the first year after the accident was the inadmissibility of the population receiving a dose of 10 rads during the first year (5 rads from internal and 5 rads from external radiation). As was already noted, the measurements and research showed (and this was confirmed in practice) that this criterion (external dose) corresponded to the radiation strength isoline of 5 mr/hour which was calculated on 10 May 1986. In this way, the key mission of the radiometer and dosimeter operators was to locate this isoline, inside of which the entire population was to be evacuated (in addition, evacuation was carried out from the 30 km zone as well). Such a map was already submitted at the beginning of May 1986. Children and pregnant women were temporarily (until fall) evacuated from territory between the 3 mr/hour and 5 mr/hour isolines. Furthermore, to monitor food products, and consequently, to ensure that internal radiation doses were not exceeded, criteria were introduced on local contamination by long-lived isotopes: 7 and then 15 curies/sq km for cesium-137, 3 curies/sq km for strontium-90 (for limiting the internal dose through oral exposure) and 0.1 curies/sq km for plutonium-239 (for limiting the dose through inhalation).

In the period May-June 1986 these measurements were taken and corresponding maps were presented to the republics in August 1986; of course, first of all the areas where the contamination levels were above or close to the indicated values were studied. These data were passed on to the rayon level.

On the basis of the information presented, as well as maps on the isotope contamination, the decision was made whether it was possible to guarantee adherence to the criteria introduced by USSR Minzdrav (10 rads for the first year, 3 rads for the second year, 2.5 rads for the third year after the accident) in the zones where the population had not been evacuated but where the level of contamination by long-lived isotopes (there was especially a lot of cesium-137) was high, higher than 15, 40 and in some places reaching 100 curies/sq km! Agriculture specialists and medical doctors (here I am already going beyond the competency of the USSR Goskomgidromet) came to the conclusion that the main criterion of limiting the radiation dosage for the population residing in these areas could be guaranteed by supplying the people in these places with clean (imported) food products in order not to allow an internal exposure dose which exceeded the external dose and by undertaking a number of measures in agricultural operations such as



liming the soil, applying calcium fertilizers, etc. As a result of this recommendation the decision was made in August 1986 not to evacuate people from these villages (with several exceptions, where the levels were especially high).

During these years the USSR Goskomgidromet conducted more and more detailed research of the radioactivity in the contaminated areas.

According to the results obtained in the second half of 1989 from air and ground research of the contaminated areas of the RSFSR, the Belorussian SSR and the Ukrainian SSR, there were no significant changes in the isolines indicating the level of local contamination by cesium-137 (see the maps), strontium-90 and plutonium-239, 240.

The areas which were contaminated by plutonium-239 and 240 isotopes at levels higher than the established criterion of 0.1 curies/sq km are concentrated inside the evacuation zone. Studies of the areas of the Mogilevskaya, Gomelskaya, Bryanskaya, Zhitomirskaya and Kievskaya oblasts outside the boundaries of the evacuation zone did not indicate the existence of populated areas with contamination levels of strontium-90 above 3 curies/sq km.

The strength of gamma ray doses locally is determined at the present time by the presence in the contaminated areas of the radioactive isotopes cerium-144, ruthenium-106, cesium-134, cesium-137, and antimony-125. The main contributors to the dosage level in the 30-kilometer zone are the isotopes cesium-134, 137. They account for more than 80 percent. Beyond the 30-kilometer zone, in the "cesium hot spot" area, the contribution of these isotopes is close to 100 percent.

As far as water contamination is concerned, during the 1989 spring flooding the concentrations of strontium-90 and cesium-137 in the Pripjat river (Chernobyl rayon) were 2.2 multiplied by  $10^{-11}$  and 1.1 multiplied by  $10^{-11}$  curies/liter respectively, in the Dnepr river (Teremtsa rayon) 0.5 multiplied by  $10^{-11}$  and 1.0 multiplied by  $10^{-11}$  curies/liter compared to allowable levels in accordance with Radiation Safety Standard-76/87 - 4.0 multiplied by  $10^{-10}$  and 1.5 multiplied by  $10^{-10}$  curies/liter respectively.

The main contaminating isotope in the rivers of the RSFSR and the Belorussian SSR whose water basins are located within the territory of the Bryansk-Gomel-Mogilev and Tula-Kaluga "cesium hot spots," (the Sozh, Iput, Besed, Plava, Zhizdra, Oka rivers as well as others), is cesium-137. The highest concentrations of cesium-137 were observed in the Sozh and Iput rivers and measure (1.5 - 2.0) multiplied by  $10^{-11}$  curies/liter, which is three orders lower than the DKB [allowable rem concentration?]

We should note that in many rivers and reservoirs the bottom deposits have become contaminated. On the one hand, this is an indication of the purification of the water

by the settling particles, including dying particles of blue-green algae. On the other hand, the contaminated silt is mobile and can be a secondary source of water contamination and can be transported themselves along this part of the reservoir. Measurements showed that the levels of contamination of the reservoir bottoms in 1988 was: Kievskiy - 4.5 curies/sq km (for cesium-137), Kanevskiy - 1.4, Kremenchugskiy - 0.25, Dneprodzerzhinskii - 0.12, Zaporozhskiy - 0.08, Kakhovskiy - 0.07 (the overall amount of radioactivity was approximately 5,500 curies with an average reservoir volume of 43.8 km<sup>3</sup>).

According to measurement data, plutonium concentrations in the air at ground level even in the alienation zone (cities of Chernobyl and Pripjat) do not exceed 2 - 10 multiplied by  $10^{-20}$  curies/liter (the allowable concentration of plutonium in the air is 3 multiplied by  $10^{-17}$  curies/liter according to Radiation Safety Standard-76/87).

In this manner, an analysis of all objective data on the radiation environment in the areas subjected to radioactive contamination as a result of the accident at the Chernobyl nuclear power plant demonstrates that the situation is stable but not satisfactory.

In order to characterize the overall area which was subjected to significant contamination after the Chernobyl accident, it is sufficient to look at the following table:

**Area of Territory Contaminated By Cesium-137, Including the Evacuation Zone (sq. km.)**

| Republics  | Contamination Ranges (curies/square kilometer) |       |              |
|------------|--|-------|--------------|
|            | 5-15   | 15-40 | More Than 40 |
| Belorussia | 10160  | 4210  | 2150         |
| Ukraine    | 1960   | 820   | 640          |
| RSFSR      | 5760   | 2060  | 310          |
| Total      | 17880  | 7090  | 3100         |

The area of territory whose level of cesium-137 contamination is more than 5 curies/square kilometer is more than 28 thousand square kilometers.

The following table, which includes zones with the same ranges of contamination but which were not evacuated, presents a picture of even greater concern:

**Area of Territory Contaminated By Cesium-137 Not Including Evacuation Zones (square kilometers)**

| Republics  | Contamination Ranges (curies/square kilometer) |       |              |
|------------|--|-------|--------------|
|            | 5-15   | 15-40 | More Than 40 |
| Belorussia | 9830   | 3640  | 1160         |
| Ukraine    | 540  | 350   | 200          |
| RSFSR      | 5760   | 2060  | 310          |
| Total      | 17130  | 6050  | 1670         |

Therefore, in an area of 1670 square kilometers with a cesium-137 contamination level of over 40 curies/square kilometer there are still unevacuated villages!

Up until now it was believed that providing clean food products for the population of these villages would keep from exceeding the established exposure limits (the criteria introduced by the USSR Minzdrav for the first, second, third and fourth years after the accident).

However, recently significant changes have taken place in the approach to evaluating the allowable exposure levels.

First of all, in connection with the end of the first 4-year period (or rather, before 1 January 1990) the USSR Minzdrav introduced a maximum "lifetime" exposure level of 35 rads, including the dose received in the previous period beginning with the accident. The concept was subjected to rather severe criticism both by many scientists, especially those from Belorussia and the Ukraine, and by the public (taking into account the fact that all the figures and maps at the present time have been published).

Secondly, it turns out that local authorities have not provided an uninterrupted supply of clean food products for the population everywhere that it is necessary.

Thirdly, the fact itself that in areas of high contamination levels the population (even if they are supplied with clean food products) cannot take advantage of local or their own production (forest resources, agricultural production including from their own plots), cannot help but provoke legitimate outrage.

It is unfortunate that the question regarding the allowable exposure levels, established by medical specialists and other scientists representing various points of view, was not resolved earlier but required years only to once again return to the proposal of evacuation (or in some places - the voluntary relocation) of the inhabitants of these areas.

But the fact remains that after the USSR Minzdrav elaborated the new criteria, introduced on 1 January 1990 with a maximum lifetime dosage of 35 rads (taking into account previous exposure) proposals were made in the republics regarding the evacuation of a number of villages where, on the one hand, there are problems in supplying the population with clean food products and also in conducting specialized agricultural reclamation work, that is, difficulties in conducting measures which could reduce the internal and external exposure doses to below the introduced lifetime maximum level of 35 rads. In this way, the social factor as well plays a decisive role in examining this issue. Therefore, taking into account radiation and the social factor, the USSR Goskomgidromet in 1989 coordinated the additional evacuation in the RSFSR of 31 villages, in the Belorussian SSR 85 villages and in the Ukrainian SSR 14 villages.

Taking into consideration the fact that in a number of areas, depending on the agricultural and chemical characteristics of the soil, the cesium-137 content of milk exceeds the standard established by the USSR Minzdrav even at contamination levels significantly below 15 curies/square kilometer (the level at which the consumption of locally produced food products is restricted), the USSR Council of Ministers and the VTsSPS [All-Union Central Council of Trade Unions] approved a resolution (No 886) on 20 October 1989 on the introduction of supplementary measures to strengthen the protection of the health and the improvement of the material situation of the population residing in the area subjected to radioactive contamination as a result of the accident at the Chernobyl nuclear power plant. In particular, this resolution grants relocation rights with corresponding compensation and benefits to families with children under the age of 14, pregnant women and individuals who, due to medical considerations, have been advised not to reside in those areas.

The republics have come up with a very important initiative - the creation of republic program to eliminate the consequences of the Chernobyl accident. The USSR State Commission for Extraordinary Situations and the Government Commission on Eliminating the Consequences of the Chernobyl Accident believe that such a program must be statewide (on the union-republic level) which will mobilize all resources, both of the center and the republics.

In these projects the republics are planning a broad (and therefore expensive) complex of measures. For example, representatives of the Ukrainian SSR believe that all families residing in areas with contamination levels higher than 10 curies/square kilometer may move to other places of residence with compensation payments for property and expenses associated with the move. In the very near future the state program mentioned will be reviewed at a session of the USSR Supreme Soviet.

In addition to the publications about the radiation environment already named (maps, brochures), the USSR Goskomgidromet has elaborated and sent to the republics proposals on a system to inform the general public about the radiation environment through the ispolkoms of the local soviets of people's deputies based on data from the USSR Goskomgidromet and other organizations. Operational data will be sent directly to the local organs by the network offices of the USSR Goskomgidromet.

Of course, in connection with the widespread publication of data on the radiation environment and for objective calculations and an analysis of the situation and in connection with the desire of almost all the inhabitants (especially from villages with rather high levels of contamination) to know the situation on their plot, in their house and on their street, more and more details of the surveys are needed. This desire is completely understandable but it requires an enormous increase in the scale of work. In addition, in recent years

"new" points of contamination have begun to appear which are connected with the accumulation, concentration and arrival of additional radioactivity due to a variety of reasons. These include the accumulation of radioactivity in places where water drains from roofs, the accumulation of manure where livestock is kept, the contamination by equipment brought in from "dirty" places (on wheels, on the working parts), the possible migration with surface waters and even the wind, and construction using "dirty" materials.

I will give two examples. Between June 1986 and December 1989, the urban-type village of Polesskoye was subjected to surveys twelve times and there were more than 600 samples taken to test for cesium. And one of them, a more detailed survey conducted by the Kombinat Production Association in the period August - November 1989, identified a number of additional hot spots which required the immediate intervention of "deactivators." And although, as was established as a result of thorough discussions at an interdepartmental commission, "data on cesium contamination levels in the urban-type village of Polesskoye obtained by teams of the USSR Goskomgidromet and the "Kombinat" Production Association under identical conditions of sample selection correlated closely" (from the commission records), the work of the "Kombinat" Production Association's UDK [expansion unknown], including a thorough house-by-house study of all dwellings, confirmed the thesis about the necessity of such a detailed investigation in the populated areas where the inhabitants are faced with independently resolving the question of whether to continue residing in that populated area or to relocate. As long as we are on the subject, we will note that this additional, detailed study in the urban-type village of Polesskoye cost the Kiev oblispolkom more than a million rubles and there are many villages where this kind of detailed study is required. Sufficient funds for the study of these villages are simply not available in the state program for eliminating the consequences of the accident. But perhaps the creation of special republic associations under the systematic supervision of the USSR Goskomgidromet and the republic academies of sciences will be required. In Belorussia the opinion exists that it is necessary to conduct detailed studies of all populated areas of the republic (including those in uncontaminated areas), and there are more than 20 thousand of them.

The second example is the city of Korosten. This city fits into the contamination zone of between 5 and 10-15 curies/sq km (for cesium-137) with average levels of 7-8 curies/sq km. These were the figures which were obtained as a result of several surveys conducted by the USSR Goskomgidromet along with geologists. However, during the past year sensational reports regarding locations of extremely high contamination levels have appeared. After very thorough measurements, areas of several square meters or several dozen square meters were actually found whose high contamination levels

were a result of the reasons named above (drainage of water from roofs, the introduction of contaminated materials by vehicles and so forth). With the help of a deactivation program, urgently organized especially for the detoxification of such locations, the situation is becoming normal again. The average readings now in the city are 6-7 curies/sq km for cesium-137 and the number of spots with contamination levels of 14-22 curies/sq km make up only 2.3 percent (data from the last survey over an even grid conducted by the USSR Goskomgidromet, the Ukrsevgelogeologiya [Northern Ukrainian Geological Commission] and the GO [Civil Defense] of the city of Korosten in March 1990 based on 342 samples for cesium-137).

Naturally, these kinds of effects can be found in other areas, for example, in Narodichi, in areas near busy highways and in zones of "spotty" contamination.

Taking into consideration that guaranteeing the health of the population residing in contaminated areas as well as the knowledge of the radiation environment in the future will be of particular importance, the USSR Goskomgidromet prepared a special program to obtain a clear and detailed picture of the environment with the assistance of sections of the USSR Mingeo [Ministry of Geology], the USSR Academy of Sciences, the Belorussian and Ukrainian Academies of Sciences, the Belorussian and Ukrainian Gosagroprom and other ministries and departments.

The portion of the program planned for 1990 provides for a detailed house-by-house study of populated areas beginning with the Kievskaya, Zhitomirskaya, Gomelskaya, Mogilevskaya and Bryanskaya oblasts with the selection and analysis of tens of thousands of samples for cesium-137, as well as strontium-90 and plutonium. The "mobility" of cesium and strontium will also be continuously analyzed (from the point of view of getting into water and vegetation). After that the detailed "geography" of the study will be expanded and will lead to the compilation of a complete atlas of the radioactive contamination of the natural environs in the European territory of the USSR.

In conclusion I want to emphasize that since the first days following the Chernobyl accident the USSR Goskomgidromet has reported an enormous amount of information on the radiation environment and has monitored this work and has provided it to all interested organizations. The data has been utilized everywhere; by departments, by the authorities at different levels and now by the population. These are the maps with which you are acquainted as well as information in the broad sense of the word.

In its actions the committee never attempted to underestimate the danger from existing radiation. The USSR Goskomgidromet has provided and will provide objective, qualified information and that, unfortunately, will be needed within the zone of the Chernobyl disaster for many years to come.

### New Education Official Profiled

90UN1399A Moscow UCHITELSKAYA GAZETA  
in Russian No 13, Mar 90 p 5

[Interview with I. Smirnov, deputy chairman of the USSR State Committee for Public Education, by G. Svobodina, correspondent of UCHITELSKAYA GAZETA: "A Mistake by Marx?"; date and place not specified]

[Text] Recently the USSR Council of Ministers confirmed the new deputy chairman of the USSR State Committee for Public Education, I. Smirnov. We asked Igor Pavlovich to answer some questions by our correspondent, G. Svobodina.

[Correspondent] You are as yet unknown to the reader of UCHITELSKAYA GAZETA, for this reason I would like to begin our discussion with general acquaintance.

[Smirnov] V.I. Konkin, with whom I have had long-standing and sincere relations, has gone into retirement. I have always valued them, I consider Vladimir Ivanovich an interesting person, who felt deeply for the work, straightforward and honest in work and in life. I have been ordered to take up the questions with which he was occupied—the work of the vocational technical schools and the secondary specialized educational institutions of the country.

I am 49 years old, married, two grown children. Internationalist by conviction and way of life. Born in Uzbekistan. After graduation from the Kostroma Technological Institute I worked in the Ukraine, in Kostroma, Moscow, Moldavia, and again in Moscow. I was shift foreman, deputy chief mechanic, and worked as a designer. I entered the party at the Chemical Machine Building Plant imeni Krasin in Kostroma. For many years I worked in the Komsomol, was chief of the department for vocational-technical education, and then of the department for young workers of the Komsomol Central Committee. In 1981, I was invited to the CPSU Central Committee as an instructor of the sector for vocational-technical education, the former Department of Science and Educational Institutions. Recently I have worked as assistant secretary of the CPSU Central Committee. So that questions of vocational education were almost always in the sphere of my concerns. They were the dominant idea both of my official and my scientific interests. In 1974, in the Komsomol Central Committee, I had to revitalize the department for vocational-technical education of young people. This department, created first during the years of the war, still is reminiscent of the "Flying Dutchman"—now it disappears, now it appears again.

Strictly speaking, even the system of vocational-technical education has been fighting all its life for its existence. But only it alone? Is this not the fate also of the other social and cultural spheres living on the "residual principle?" But, in my view, the system of vocational-technical education received still less than the others—I

would say, the residual of the residual. Though I am convinced—the very system of vocational-technical education was and remains the basic source of supplying the country with qualified cadres of officials from among the young people. As impossible as is one present-day society without a working class, so it cannot cope without a system of vocational-technical education. Here everything is clear.

I would not begin to assess its work, as this was done previously, through the impressive figures of millions of trained workers. Moreover, here I see the sources of the pernicious gross output approach and expenditures in the use of manpower.

In my time I happened to be in many vocational schools of the country—in Georgia, Armenia, Estonia, and Uzbekistan, in Leningrad, Tula, Saratovsk, Kirov, Dnepropetrovsk, Novosibirsk, and other oblasts. I know not by hearsay how in the contingent of new workers, for the sake of formal fulfillment of the plan sent down from above, they previously entered both short-term students and simply "dead souls." Especially in the branches of the rural schools. A paradoxical situation developed—in the presence of greater and growing volumes of the training of new workers, the most acute, undiminishing demand for skilled workers remained in the country. So is it really necessary to adhere to such outward appearance, to such laurels even today? What is more, is this possible in the new economic and moral conditions?

I see the future model of vocational-technical education as oriented to the real requirements for specialists of state enterprises and the national economy as a whole, and not to a plan spun from the insurance claims of the central economic departments. It must be flexible, become a distinctive service, satisfying any needs of production from training, retraining and improvement of qualifications of workers for the broad complex of existing professions to instruction in new, present-day specialties. This is possible only on the basis contract relations of educational institutions with enterprises, compensation of the expenditures for the training of specialists for the declared profession, and with a concrete appointment in mind.

But I will at once agree that it is impossible to limit the role of the enterprises only to material support and to the financial aspect. It is necessary to find their place in the professional orientation of the young people, in the staffing of educational institutions, the increase of their prestige, the strengthening of the staff of experts in production instruction. We also need more tangible stimuli for the teachers and experts working in the vocational-technical education system.

[Correspondent] You started to talk about the prestige of the vocational-technical schools. Is this not a cliché from the stagnation vocabulary? It seems that now we need to think, not about prestige, but about the construction of a new system



[Smirnov] Well, I do not perceive the present low level of prestige as a tradition of vocational-technical education. It is well known that, during the first post-revolutionary years, the factory-plant and trade schools became a good start in life for thousands of juveniles. Within my recollection is the sharp rise in the prestige of the vocational-technical schools at the beginning of the 1970's, when the CPSU Central Committee approved the experience of Leningrad, when for the first time the secondary vocational-technical schools arose, when the tutorship movement spread, and when, if I am not mistaken, more than 10,000 experienced workers and specialists from enterprises came into the schools for work with experts in production instruction.

I will express another personal judgment—about the political aspect of this problem. In my view, the at present not very high prestige of vocational-technical education is caused by the low role of the working class in the country—in politics, economics, and culture. The thesis of its leading place in society remains a declaration, a ritual phrase. But I firmly believe that the economic reform will inevitably lead to the increase in the prestige of skilled labor and will raise the price of the real expert in production, and the political reform will turn into a ringing slogan, if it will not include the man who is really working in the administration of the country. Thus, even the labor shift must be trained at a qualitatively different economic, professional, and ideological-moral level. This will soon be demanded by life, and misfortune to those who will remain captive to the old conceptions of the worker as a simple technological adjunct of production.

I believe, although this now looks unfashionable, that a feeling of class consciousness must be cultivated in the future workers themselves, that they must be acquainted with the history of the formation and the struggle of the proletariat. But then today, in the conditions of the recognition of the priority of the values common to all mankind, the class approach has begun to be perceived as something nominal, the idea of the historical mission of the working class—almost as "the chief mistake of Marx," the October Revolution—as the supreme revolution, the adroit march of the party of Bolsheviks in their aspiration to power, but not the product of the difficult historical struggle of the working class. As the result, the prestige of the worker falls, and together with him, naturally, and the qualified nucleus of educational institutions which train him. I think that the history of the working class movement should become an integral part of the social science disciplines that are being taught in the vocational-technical schools and *tekhnikum*s. For the time being, we have a paradox—there is a working class, and it is recognized as leading, but there is neither a history of it nor the class approach conditioned by it.

For the prestige of the vocational-technical school it is very important to remain an open link of the system of continuous vocational education. And not a blind alley, as it was previously, when only 10 percent of its best graduates had the possibility of enrolling in a VUZ. This,

you see, is nothing else but social selection. And on this plane I regard as important the right now granted to all graduates of a vocational-technical school to enroll in VUZ's, as well as the experiment that has been begun in regard to the creation of a number of higher vocational schools (technical lyceums and colleges).

[Correspondent] And all the same, in public opinion the stereotype conception has already taken shape about the students of the vocational-technical schools as the less gifted part of the young people.

[Smirnov] A stereotype is still not evidence of truth. How many of them we experienced, these stereotypes in the past. And for how many, already present-day stereotypes will we blush before history.

We must come to new thinking, to the recognition not of inequality, but of the diversity of the abilities of people of various professions and occupations. The book written by a scholar or the model created by a designer by themselves are not evidence of their greater gifts by comparison with the worker, who has skillfully made a complex and good-quality thing.

Proudhon wrote: "Assess for me the talent of a wood-cutter, and I will assess for you the talent of Homer." I agree with Proudhon. The talent of a metalworker must be compared with another metalworker, measuring their ability by one criterion. In comparing him with a physicist and nuclear engineer, for example, we will measure not their levels, but the diversity of their abilities. Talent and gifts I understand as the ability of man to do something better than others, it is not important what—a house or a spaceship. For this reason, the stereotype of conceptions of the different gifts of the people of these or those professional groups which you indicated is only one of the dogmas not yet shattered by the new thinking.

[Correspondent] You came to your new post with serious scientific baggage: Doctor of philosophy. What is behind this?

[Smirnov] Behind this are many years of in-depth study of the problem of the ways of forming the creative personality of the worker. On this subject I have written a number of books and two monographs. Their main idea is the overcoming of still another stereotype asserted by centuries—the stereotype of the elitism of creativity, talent "from God," and, vice versa, some kind of "innate depravity." The uniqueness of genius, the secret of gifts does not lie in general talent (although biological inclinations are also significant), but in the patience and selflessness, in the persistence and diligence of a man who is resolved to attain the goal he has set. Another approach contradicts the very socialist, and what is more the universal humanistic idea—of the possibility of the discovery of the abilities and gifts of every man and the broad creativity of the masses.

I consider as mistaken and socially dangerous the idea being widely propagated now that scientific-technical progress is shifting all labor, including creative labor,

onto the shoulders of machines. Here there is something similar to the remarks of the Polish humorist S. Lets on technology, which soon will reach such perfection that man can get along without himself. As a result, an attitude is formed toward the mass professions and to the labor of the worker as a whole as an anachronism living out its last days. Progress, on the contrary, requires the training of creative toilers who are capable of self-development.

On the practical plane, I took part at the beginning of the 1980's in the development of the conception and the introduction in 102 vocational-technical schools, of the elective course "Foundations of Professional Creativity", created by the Scientific Research Institute of General and Educational Psychology of the USSR Academy of Pedagogical Sciences. The results of this work, which is aimed at the development of creative thinking and the development of the cognitive interests of the students and their rationalization potential, was approved by the collegium of the former RSFSR State Committee for Vocational-Technical Education. As far as I know, this course has now been introduced in 600 vocational-technical schools.

[Correspondent] For 8 years you worked in the CPSU Central Committee apparatus. The things that have been written today about the likes of you. It would be interesting to find out: How does perestroika look through the eyes of yesterday's apparatus official?

[Smirnov] Our time, which is making difference of opinion a natural and productive trait of human relations, has also affected the apparatus. Here there are also, expressing it in the new terms, leftists and rightists. Although, in my view, life is more complex than this dual formula. The range of opinions is broader and basically alarming.

Personally my concern is called forth, above all, by the growing alienation of the party from the working class, which in some cases goes as far as real opposition [oppozitsionnoye protivostoyaniye]. Unfortunately, during the years of perestroika, it not only has not been overcome, but it has even increased. It is impossible not to see also the continuing washing out of workers from the composition of the Soviets of People's Deputies. I have set forth my position in greater detail in the article "Why Power to the Worker?" (RABOCHAYA TRIBUNA, 31 January and 1, 3 February of this year). In it I have made an attempt to show the deepening gap between the proclaimed thesis of the expression of the interest of the working class by the party and the de facto displacement of it to the political periphery, the slipping down of the Communist Party from the positions of a Marxism-Leninism, which asserts the unconditional priority of the workers in alliance with the peasantry, in the direction of a humane democratic socialism. Traced out, unfortunately, in formulas which are too general, this new appearance of socialism, in the Platform of the CPSU Central Committee, and in so-called democratic platform, in terms of the tendencies embodied in them,

will lead to the further supplanting of workers and rank-and-file toilers from the elective organs of political power.

In defense of such an evolution, an appeal is sometimes heard not to ideologize life, but to attain what is the chief thing—"to feed the people." Such is the ideal, which has now suddenly become unattainable for us—the once high dream of the proletarian revolutionary reduced to almost physiological goals. In my opinion, it was G. Plekhanov who in his time observed that the bourgeoisie recognizes only "belly goals" for the workers. Of course, in our—with respect to the joys of life—modest time, even such an ideal becomes tempting. And all the same, man does not live by bread alone, he already today wants to know what awaits him there, after the starvation "shoal." In this connection, I am somewhat reassured by the opinion of M. S. Gorbachev, expressed in his speech at the March CPSU Central Committee Plenum, that the party should not repudiate the name of Communist, as well as its ultimate ideals. Of course, this thought requires development and practical continuation.

The possibility for expression, especially the defense of personal views, in the apparatus are rather small. This became one of the reasons for my request to leave made approximately a year ago. I think that, in being occupied, in the USSR State Committee for Public Education, with questions of the vocational training of workers, I will receive better possibilities for the fuller realization of my view of perestroika as the rebirth of the consciousness of the working class, the sovereignty of the workers.

### **Estonian Draft Law on Education**

90UN14004 Tallinn SOVETSKAYA ESTONIYA  
in Russian 7 Mar 90 pp 2-3

#### **[Text] I. General Provisions**

##### **Article 1. Tasks of the Law on Public Education**

The task of the law on public education is to provide citizens with legal guarantees of obtaining an education and to secure the individual's and society's need for development through the system of public education. Accordingly, the law on public education defines the principles of the system of public education in the Estonian SSR, the procedure under which citizens exercise their right to education, and legal principles upon which the activity of public education institutions is based.

##### **Article 2. Legislation of the Estonian SSR in the Area of Public Education**

(1) Legislation of the Estonian SSR in the area of public education consists of the present law on public education and other corresponding legislative acts of the Estonian SSR as well as decrees of the Estonian SSR government.

(2) The Estonian SSR Ministry of Education, organs of local self-government, and other state organs having public education institutions enjoy the right to make

decisions and establish rules regarding the procedure for executing the provisions of the present law.

### **Article 3. Organizational Principles of the Estonian SSR System of Public Education**

(1) The Estonian SSR system of public education includes state, private, and cooperative public education institutions. The state secures the development of the system of public education.

(2) The Estonian SSR system of public education secures for every citizen of the Estonian SSR the equal right to education and the opportunity to realize the demands of universal compulsory education. Citizens of the Estonian SSR are guaranteed the right of free tuition in state public education institutions.

(3) The right to be educated in the Estonian language is guaranteed in the Estonian SSR.

(4) Teaching and education in public education institutions are intended to convey the highest values of humanism and erudition and create opportunities for the free development of the individual.

### **Article 4. The Estonian SSR System of Public Education**

(1) The Estonian SSR system of public education includes public education institutions whose task is to provide basic education, general education, vocational and special education, higher education, specialized education, and to organize the upgrading of skills and retraining.

(2) Basic education is provided through upbringing and teaching in the home as well as in kindergartens, kindergarten-day care nurseries, children's homes, and other institutions of care and education and public education institutions.

(3) General education is acquired in elementary schools, special educational institutions, basic schools, secondary schools, evening schools, secondary vocational training schools, and secondary specialized educational institutions, as well as through external studies, home education, and other forms.

(4) Vocational education is acquired in vocational and technical training schools, secondary specialized educational institutions, seminars, colleges, and other organizations that offer vocational training.

(5) Higher education is acquired in universities, institutes, academies, conservatories, and other institutions of higher learning.

(6) Education in accordance with specialized interests is offered by music, art, sports, and other specialized schools, by circles and clubs organized at educational institutions, cultural institutions, enterprises and organizations, by people's universities, and by Sunday schools.

(7) Advanced training and retraining are offered in comprehensive schools and educational centers, in institutes, and in institutions offering vocational, secondary specialized education, and higher education, and in other organizations.

### **Article 5. Administration and Management of the Estonian SSR System of Public Education**

(1) The Estonian SSR system of public education is administered and managed by the highest organs of state authority and government, by the Estonian SSR Ministry of Education, and by local organs of self-government.

(2) The tasks and jurisdiction of Estonian SSR organs of state power and government, the Estonian SSR Ministry of Education, and local self-government organs in the administration and management of the system of public education are defined in the present law as well as in other legislative acts of the Estonian SSR and decrees of the Estonian SSR government.

(3) State administration and management of the system of public education in the Estonian SSR is combined with the independence of public education institutions.

(4) A congress of education workers is convened at least once every 5 years to formulate the principal directions of development of public education. The congress elects the Council on Public Education in the Estonian SSR which realizes the tasks envisaged in its rules and regulations.

### **Article 6. Responsibilities of the Highest Organs of State Power and Government in the Estonian SSR in the Area of Public Education**

The highest organs of state power and government in the Estonian SSR are responsible for:

(1) defining state policy in the area of public education and creating legal, economic, organizational, and other guarantees necessary for its implementation;

(2) defining the principles of organization and activity of the system of education and of types of public education institutions;

(3) establishing standard statutes or statutes on state public education institutions, for opening institutions of higher learning, for reorganizing and abolishing them, for establishing the procedure for opening, reorganizing, and abolishing other state public education institutions;

(4) establishing the procedure for opening, reorganizing, and abolishing private and cooperative educational institutions;

(5) establishing the procedure for fulfilling the statute on universal compulsory education;

(6) establishing principles governing the remuneration of education workers;

(7) realizing other tasks assigned to them in the administration and management of the system of public education by the law of the Estonian SSR on public education.

#### **Article 7. Responsibilities of the Estonian SSR Ministry of Education**

(1) State policy in the area of public education in the Estonian SSR is implemented by the Estonian SSR Ministry of Education.

(2) In the administration and management of public education, the Estonian SSR Ministry of Education:

1) formulates the general mandatory curriculum and forms of education in state public education institutions and their state oversight mechanism;

2) directs and organizes the compilation of syllabuses, curricula, textbooks, and other educational complexes, secures their publication, and provides methodological services for public education institutions;

3) establishes the procedure for certifying and the system of advanced training for education workers; organizes the training, advanced training, and retraining of education workers;

4) coordinates and makes proposals on the creation, reorganization, and liquidation of public education institutions;

5) exercises state oversight over the work of Estonian SSR public education institutions;

6) participates in the formulation of state policy on youth and the formulation of normative acts pertaining to children and youth;

7) facilitates the development of scientific research, orders and coordinates scientific research; creates conditions for the practical utilization of the research findings;

8) cooperates with educational and scientific institutions of other countries and international organizations;

9) organizes the development of programs for the development of the network of public education institutions and their material base and develops norms governing the remuneration of the labor of educators and state public education finance workers;

10) organizes the issuance of licenses (authorizations) to private, cooperative, and other alternative educational institutions.

#### **Article 8. Responsibilities of Local Education Organs in the Area of Public Education**

(1) The responsibilities of organs of local self-government in the administration and management of public education are defined in the present law, in laws

of the Estonian SSR on organs of local self-government and other legislative acts of the Estonian SSR.

(2) Organs of local self-government manage and oversee public education institutions located on their territory either directly or through organs created for this purpose.

(3) Organs of local self-government:

1) are responsible for the development of the network of public education institutions; according to the established procedure, create, organize, and liquidate state public education institutions;

2) secure economic servicing and financing of public education institutions subordinate to them;

3) create the necessary housing conditions for teachers and provide them with other benefits provided in the law;

4) keep count of children eligible for universal compulsory education and oversee the fulfillment of the statute on general compulsory education;

5) organize guardianship and care of minors; protect their rights; place orphans and children lacking parental care in children's homes, boarding schools, foster homes or organize their adoption;

6) render children material and other assistance in fulfillment of the statute on universal compulsory education; organize the transportation of children to public education institutions; provide medical care and meals for children and adolescents during school time;

7) organize methodological service for public education institutions; provide consultation services for heads of public education institution heads and teachers;

8) create a youth vocational guidance system.

#### **Article 9. Creation, Reorganization and Liquidation of Public Education Institutions**

(1) Public education institutions in the Estonian SSR are created, reorganized and liquidated under the procedure established by the government of the Estonian SSR.

(2) Institutions of higher learning are created, reorganized and liquidated by the government of the Estonian SSR.

#### **Article 10. Subordination of Public Education Institutions**

(1) State public education institutions in the Estonian SSR are subordinate to the Estonian SSR Ministry of Education, to another republic organ of government, or to organs of local self-government.

(2) Private and cooperative public education institutions that either belong to social organizations that are granted rights on a par with state educational institutions or that are maintained with the participation of the state are



overseen by the Estonian SSR Ministry of Education and organs of local self-government within the limits of their jurisdiction.

#### **Article 11. Legal Status of Public Education Institutions**

(1) The legal status of public education institutions is defined by the present law and on the basis of the rules and regulations developed on the basis of model statutes approved by the government of the Estonian SSR and by the council of the public education institution.

(2) The public education institution is a legal person. It has its own name, its own seal with the state emblem of the Estonian SSR, and other features.

(3) Public education institutions are independent in the organization of the educational and upbringing process, in the placement of cadres and the utilization of resources, except for restrictions specified in the present law.

(4) Institutions of higher learning are autonomous in their activity in accordance with the present law and their rules and regulations.

#### **Article 12. The Financing of Public Education Institutions**

(1) State public education institutions are financed from state and own funds.

(2) Public education institutions are financed by state funds in accordance with the law on the budget and according to the procedure indicated in special acts of the Estonian SSR government, by the state budget, or by the local budget.

(3) Incomes from paid services, from production and scientific activity, contractual sums for training cadres, and contributions from sponsoring enterprises and citizens are public education institutions' own resources. The use of own resources is determined by the head of the public education institution in agreement with the council of the public education institution.

#### **Article 13. Administration and Management of Public Education Institutions**

(1) A public education institution is directed by a head, a director, or a rector of a public education institution. The head of a public education institution is appointed by a higher organ or is elected in accordance with the rules and regulations of the public education institution.

(2) The work collective of a public education institution participates in the administration and management of the public education institution either directly, through its organs, or through social organizations and movements operating within the collective.

(3) The rights of the work collective of a public education institution and the procedure for exercising them are defined in the laws of the Estonian SSR and the rules and regulations of the public education institution.

(4) The organs of social leadership of the public education institution (council, pedagogical or scientific council) operate on the basis of a statute approved by the general meeting or a conference of the work collective or on the basis of the rules and regulation of the public education institution.

(5) Representatives of pupil (student) self-government are called upon to participate in the resolution of the most important problems of the educational and upbringing process and questions that concern pupils (students) according to the procedure indicated by the rules and regulations of the educational institution.

#### **Article 14. Social Organizations in the Public Education Institution**

(1) The public education institution secures the voluntary unification of educators and learners in social organizations and movements on the condition that the activity of these organizations and movements accord with the goals of humanistic and moral education of the learners.

(2) Pupils' organizations are created in public education institutions according to the procedure established by the Estonian SSR Ministry of Education.

#### **Article 15. The Legal Status of Pupils and Students**

(1) The legal status of pupils and students is defined in Estonian SSR legislation and in the rules and regulations of public education institutions.

(2) In accordance with the established procedure, public education institutions give pupils and students the right to use educational premises and learning aids as well as sports and cultural facilities free of charge; the right to dormitory space at a reduced rate and give persons attending higher, secondary specialized, and specialized and technical educational institutions the right to a scholarship.

(3) The state provides transportation free of charge or at a reduced rate, the possibility of receiving material assistance, and other benefits.

(4) Organs of local self-government as well as enterprises and organizations may also provide other aid and additional benefits to students and pupils.

#### **Article 16. The Legal Status of Teachers**

(1) The legal status of teachers is defined in legislation of the Estonian SSR and in the rules and regulations of public education institutions.

(2) Legislation of the Estonian SSR provides benefits for teachers in the area of labor and benefits in the realm of municipal services.

(3) Organs of local self-government may provide teachers with additional benefits.

(4) Openings for instructors, scientific associates, and teachers at institutions of higher learning, colleges, seminaries, and secondary specialized educational institutions are filled on a competitive basis. Principles governing the organization of competitive examinations are established by the Estonian SSR Ministry of Education.

## **II. Preschool Education**

### **Article 17. Principal Tasks of Basic Education**

(1) The goal of education is to prepare children for school with the help of the family and preschool institutions.

(2) The child's natural development is supported and furthered in the process of preschool education. Conditions are created for revealing and preserving the child's natural endowments, his cognitive interests and abilities based on the interests of the child himself in a national cultural milieu.

### **Article 18. Preschool Education in the Family Setting**

(1) The child receives preschool education primarily in the family.

(2) Special benefits may be granted to create conditions required for preschool education in the family setting.

(3) Organs of local self-government as well as enterprises and organizations may provide additional benefits to parents of preschool children or their surrogates.

(4) Parents or their surrogates are for the most part responsible for the preschool education of their children.

### **Article 19. Preschool Institutions**

(1) Preschool institutions are created to assist the family in providing its children with basic education.

(2) Preschool institutions are created according to the established procedure by organs of local self-government, cooperative, and social enterprises and organizations as well as by private persons. State preschool institutions are subordinate to organs of local self-government.

## **III. General Education**

### **Article 20. Structure of the general education school**

(1) The general education school consists of three levels: Level 1: elementary school; Level 2: basic school; and Level 3: secondary school.

### **Article 21. Subordination of General Education Schools**

(1) The administration and management of general education schools are the responsibility of organs of local self-government and the Estonian SSR Ministry of Education in accordance with their [respective] jurisdictions

(2) Elementary and basic schools are subordinate of volost, settlement, and city organs of self-government. Secondary schools are subordinate to uyezd and city organs of self-government.

(3) The subordination of the general education school may be decided differently as an exception with the consent of organs of local self-government or based on the decision of the government of the Estonian SSR.

### **Article 22. Universal Compulsory Education of Children**

(1) The universal compulsory education of children has been instituted in the Estonian SSR.

(2) Schooling begins at the age of 6 or 7 years depending on the child's readiness for school and the wishes of the parents or parent surrogates. Universal compulsory education continues until the child either graduates from basic school or reaches the age of 16.

(3) Universal compulsory education may also be offered in the family setting or in private or cooperative schools as provided by law.

### **Article 23. Basic Tasks of the General Education School**

Basic school education must make it possible to continue education in secondary school or to acquire an occupation.

Secondary school education must make it possible to continue education in an institution of higher learning or to acquire an occupation.

### **Article 24. Secondary Education**

(1) In order to raise the educational and cultural level of Estonia's citizens and to prepare youth for life and work, the state secures conditions enabling them to obtain a secondary education.

(2) Secondary education may be obtained in secondary schools, secondary vocational training schools, and secondary specialized educational institutions of varying form and in private and cooperative public education institutions equated with them.

(3) There are no age restrictions on obtaining a secondary education. For persons beyond the age to which universal compulsory education applies, conditions are created enabling them to obtain a secondary education in even schools and in external study programs.

### **Article 25. Language of Instruction**

(1) General education is offered in the Estonian language or in other languages in instances specified in the Law of the Estonian SSR on Language. Parents or parent surrogates are entitled to choose an educational institution with the appropriate language of instruction.

(2) With the consent of the Estonian SSR Ministry of Education or an organ of local self-government, the

educational process may be conducted in a foreign language as part of an intensive language study program.

(3) It is mandatory that Estonian be taught in state general education institutions and private and cooperative schools equated with them regardless of their language of instruction.

#### **Article 26. Graduation from General Education School**

(1) The Estonian SSR Ministry of Education issues the appropriate certificate to graduates of the state general education school.

(2) The basic school graduation certificate confers entitlement to attend a secondary school or a vocational training school. The general education secondary school graduation certificate confers entitlement to attend an institution of higher learning, a secondary specialized educational institution, or a technical training school in accordance with the rules of admission.

(3) School graduates who have mastered an occupation during their schooling receive a certificate attesting to this fact.

(4) The procedure under which private or cooperative schools issue graduation certificates is regulated by a special act.

### **IV. Vocational Education**

#### **Article 27. Subordination of Vocational and Secondary Specialized Education Institutions**

(1) Vocational and secondary specialized education institutions training cadres for the needs of a volost, uyezd or city are subordinate to the appropriate organs of local self-government.

(2) Vocational and secondary specialized education institutions training cadres for regions or for the entire national economy are subordinate to the Ministry of Education or to the corresponding branch ministry.

(3) The subordination of vocational and secondary specialized education institutions may be decided differently as an exception with the consent of organs of self-government or the government of the Estonian SSR.

#### **Article 28. Legal Status of Vocational and Secondary Specialized Education Institutions**

(1) Vocational and secondary specialized education institutions may form associations in cooperation with other educational institutions, enterprises and organizations.

(2) Vocational and secondary specialized education institutions are entitled to conclude direct contracts with enterprises, institutions, and organizations for the purpose of determining the conditions of training of skilled workers and specialists.

(3) Vocational and secondary specialized education institutions enjoy the rights of a state enterprise under the procedure established by the government of the Estonian SSR.

#### **Article 29. Basic Tasks of Vocational and Secondary Specialized Education Institutions**

The basic tasks of vocational and secondary specialized education institutions are to satisfy the national economy's need for socially active, skilled workers with high labor culture; to develop the learner's personality and to create conditions enabling him to master skills; to organize refresher training and retraining of skilled workers and specialists.

#### **Article 30. Admissions to Vocational and Secondary Specialized Education Institutions**

(1) Vocational education institutions admit citizens of the Estonian SSR with complete or secondary education. As an exception, training groups for learners having less than basic education may be formed at vocational training schools.

(2) Secondary specialized education institutions admit citizens of the Estonian SSR with basic and secondary education.

(3) As a rule, the daytime division of vocational and secondary specialized education institutions admits persons under the age of 30. There are no age restrictions on admissions to evening and correspondence divisions and to refresher training groups for skilled workers.

(4) The list of occupations in which vocational and secondary specialized education institutions offer training is approved at the behest of the Estonian SSR Ministry of Social Problems and the Estonian SSR Ministry of Education. The list of specialties that are taught at a specific vocational or secondary specialized education institution and the general admission of trainees are approved by a higher organ at the behest of the institution. The plan for admissions to specialties is determined by the institution based on the state order and contracts concluded with enterprises, institutions, and organizations.

(5) The question of training citizens of other union republics and foreign countries in vocational and secondary specialized education institutions of the Estonian SSR is decided by the Estonian SSR Ministry of Education at the behest of the corresponding institutions on the basis of contracts.

#### **Article 31. Organization of the Training Process**

(1) The training process in vocational and secondary specialized education institutions is based on syllabuses and curricula approved by the institutions' pedagogical councils.

(2) Vocational and secondary specialized education institutions may create integrated educational institutions according to the established procedure.

(3) There are three forms of training: daytime, evening, and correspondence. The forms of training in specific specialties and their correlation are determined by the institution based on the national economy's needs.

(4) The language of instruction in vocational and secondary specialized education institutions is Estonian. Russian and other languages may be used as the language of instruction according to the procedure specified in the Law of the Estonian SSR on Language.

The question of using other languages as the language of instruction in certain training groups is decided by an educational institution's pedagogical council; in an educational institution as a whole—by the Estonian SSR Ministry of Education at the behest of the educational institution.

#### **Article 32. Graduation from a Vocational and Secondary Specialized Education Institution**

(1) Occupations and skill categories (grades, classes) are awarded to graduates of vocational education institutions by a state commission. Occupations and skill categories (grades, classes) are awarded according to the same procedure to persons who have acquired a vocational education through independent study, through courses at enterprises and in organizations, or by some other means. Upon being awarded an occupation, a graduate is given a diploma or a certificate attesting to his skill level.

(2) Graduates of secondary specialized education institutions are awarded their skill ratings by a state commission whose chairman is approved by the Estonian SSR Ministry of Education at the behest of a given institution. When the skill rating is assigned, the graduate is given a diploma attesting to the fact that he has graduated from the secondary specialized education institution.

(3) The graduate of a higher-level secondary specialized education institution (college, seminary) may graduate from an institution of higher learning with an abbreviated term of instruction.

#### **Article 33. The Acquisition of a Vocational Education Without Attending an Educational Institution**

The acquisition of a vocational education at enterprises, in institutions, in organizations, in courses, in training combines, and other forms of training without attending a vocational education institution is regulated by special acts.

### **V. Higher Education**

#### **Article 34. Subordination of Institutions of Higher Learning**

Institutions of higher learning are subordinate to the Estonian SSR Ministry of Education on questions indicated in Part I and paragraphs 3, 5, 6, and 7 of Article 7 in Part II of the present law. Institutions of higher learning are independent in deciding other questions.

#### **Article 35. The Legal Status of Institutions of Higher Learning**

(1) Institutions and organizations that are independent legal persons may be part of institutions of higher learning.

(2) Scientific societies and student organizations may be created at institutions of higher learning.

(3) Institutions of higher learning have the right to train specialists in stages and to award an additional specialty in an abbreviated period of training based on existing higher education.

(4) Institutions of higher learning are entitled to conclude contracts on cooperation in the area of training and scientific activity as well as in the area of refresher training; to send students, graduate students, and members of the teaching staff to study (inter alia, on an exchange basis) at higher educational and scientific institutions in other union republics and foreign countries and to admit students, graduate students, and teachers from outside the republic.

(5) Institutions of higher learning may conclude contracts specifying the terms of instruction with enterprises, institutions, and organizations.

(6) With the consent of the Estonian SSR Ministry of Education, institutions of higher learning have the right to open graduate and doctoral programs for the purpose of training teachers and scientific cadres.

#### **Article 36. Basic Tasks of Institutions of Higher Learning**

The basic tasks of institutions of higher learning are to train highly qualified, professional, ethical intellectuals with a humanistic attitude toward life, capable of engaging in scientific research, of organizing the advanced training of specialists with higher education, and to give them new qualifications through graduate studies, doctoral programs, etc.

#### **Article 37. Admission of Students to Institutions of Higher Learning**

(1) All citizens of the Estonian SSR who have full secondary education are equally entitled to compete for admission to Estonian SSR institutions of higher learning.



(2) Persons under the age of 35 are admitted to the daytime division. There are no age restrictions on admissions to evening and correspondence divisions.

(3) The admission of citizens of other union republics and foreign countries to study in Estonian SSR institutions of higher learning is regulated by specific qualifications and conditions specified in the admission rules.

(4) Admission rules and the list of specialties that institutions of higher learning offer training in are approved by the council of the institution of higher learning. The admissions plan (including the plan for specialties) is approved by the institution of higher learning council in agreement with the Estonian SSR Ministry of Education based on the republic's needs and the potential of the institution of higher learning.

#### **Article 38. Organization of the Educational Process**

(1) There are three forms in which students are educated: daytime, evening, and correspondence. Forms in which training in specialties is offered are determined by the institution of higher learning.

(2) The educational process is based on syllabuses and curricula approved by the institution of higher learning. The educational process may be organized both on the basis of a system of subjects and in the form of courses.

(3) Estonian is the language of instruction in institutions of higher learning. The use of other languages as the language of instruction in study groups or in subjects is determined by the council of the institution of higher learning with due regard to the Law of the Estonian SSR on Language.

#### **Article 39. Graduation from Institutions of Higher Learning**

(1) Students who fulfill all requirements of the syllabuses and programs are awarded qualifications in accordance with their acquired specialty by decision of a state commission and are awarded a diploma attesting to their graduation from the institution of higher learning. Graduation from an institution of higher learning through an external studies program is permitted in specialties specified by the institution of higher learning.

(2) An institution of higher learning offering instruction in stages is authorized to award the corresponding certificates and diplomas.

(3) Upon completing an institution of higher learning, a graduate may be awarded a master's degree.

#### **Article 40. The Awarding of Academic Degrees and Ranks**

The scientific council of the institution of higher learning confers academic degrees and ranks in accordance with the statute approved by the Estonian SSR government on awarding academic degrees and ranks.

### **VI. Special Forms of Education**

#### **Article 41. The Education of Orphans and Children Lacking Parental Care**

(1) The government of the Estonian SSR and organs of local self-government secure the total state maintenance of orphans and children lacking parental care.

(2) Orphans and children lacking parental care who speak the same language are raised and educated in children's homes and educational institutions.

(3) Orphans and children lacking parental care are given the opportunity to obtain an education in accordance with their abilities and wishes.

(4) Organs of self-government provide orphans and children lacking parental care with a job and normal housing conditions.

#### **Article 42. The Education of Children with Physical and Mental Disorders**

(1) Children and adolescents who are afflicted with disorders (of hearing, vision, speech, the locomotor apparatus, and mental disorders) as well as other health disorders, and who require special conditions for their education and upbringing are provided the necessary aid by the state in the form of education, upbringing, vocational training, adaptation, and rehabilitation in special educational and upbringing institutions appropriate to their abilities and health.

(2) The type of educational and upbringing institution (preschool institution, special school, special boarding school, general school, vocational school, etc.), individual instruction or instruction in the home are determined or recommended for children and adolescents with physical and mental disorders on the basis of medical, psychological, and pedagogical research.

#### **Article 43. The Organization of Education Based on Interests**

In order to awaken various kinds of interests of children and adolescents, including an interest in art, and to develop their natural endowments, a network of schools based on interests, of circles and classes based on interests are established in educational institutions. The activity of children based on interests and their summer vacation are organized by enterprises, organizations, and organs of local self-government.

#### **Article 44. Training in New or Allied Occupations**

(1) Training in new occupations is organized on the job, in educational institutions, and in training combines for the benefit of persons released as a result of the reorganization of the national economy or who have expressed the wish to change occupations.

(2) Training in allied occupations is organized on the basis of the specific needs of production and the worker's wishes.

(3) Training in new or allied occupations is regulated by special acts.

#### **Article 45. Raising Skill Levels**

(1) Skill levels are raised in order to improve the knowledge and skills of skilled workers, specialists, and brain-workers and to give them a high level of professional mastery.

(2) The raising of skill levels is regulated by special acts.

#### **VII. Responsibility for the violation of the Law on Public Education**

##### **Article 46. Responsibility for the Violation of the Law on Public Education**

Persons violating the Law on Public Education bear disciplinary, administrative or criminal responsibility depending on the violation.

#### **VIII. The Right of Citizens of Foreign Countries and Persons Lacking Citizenship to Obtain Education in the Estonian SSR. International Contracts**

##### **Article 47. The Right of Citizens of Foreign Countries and Persons Lacking Citizenship to Education**

(1) Citizens of foreign countries and permanent residents of the Estonian SSR who lack Estonian SSR citizenship are entitled to receive an education in the Estonian SSR on a par with citizens of the Estonian SSR.

(2) Citizens of foreign countries, persons who do not have citizenship, and other persons who do not have Estonian SSR citizenship and who are not permanent residents of the Estonian SSR may receive an education in the Estonian SSR under a procedure provided in international agreements of the Estonian SSR and the rules and regulations of public education institutions.

##### **Article 48. International Treaties**

If an international treaty or international agreement to which the Estonian SSR is a party establishes other rules than those contained in the present law, the rules of the international agreements shall apply.

**FROM THE EDITORS:** we request that suggestions and remarks be addressed to the editors of SOVETSKAYA ESTONIYA and the Estonian SSR Ministry of Education before 25 March.

#### **Estonian SSR Minister on New Estonian Draft Education Law**

90UN1526A Tallinn MOLODEZH ESTONII  
in Russian 6 Apr 90 p 2

[Interview with Rein Artur Loik, Estonian SSR minister of education, by L. Tretyakova: "The Fetters Are Falling Away.... A Discussion of the Draft Education Law"]

[Text] At the beginning of March the Russian-language press published the Estonian SSR Draft Law on Education. We

requested Rein Artur Loik, the Estonian SSR minister of education, to comment on certain of its statutes. But the first question pertained not to the contents of the proposed law, but rather to the deadline for its adoption: the commentary which accompanied the published item contained a request that all notes and remarks be sent in prior to 25 March. Can such haste be justified?

[Loik] Of course, I cannot say how soon the newly elected Supreme Soviet will find it possible to concern themselves with this problem. But we do hope very much that the law will be adopted prior to the beginning of the new school year. Of course, haste is fraught with the danger of things not being thoroughly thought out. And this law must be fashioned in such a way that it does not become obsolete within a few decades. The law presently in effect was adopted only four years ago—in 1986, but it has already become hopelessly obsolete. In the first place, it is politicized, chock-full of slogans, which are perceived these days with skepticism, to say the least. In the second place, it is keyed to a centralized administration of the entire sphere of education. To this day, many matters are within the jurisdiction of the Union-level Committee on Education, including the opening up of new fields of specialization in the higher schools, as well as the approval of new syllabi, curricula, and admittance plans. If we here in Estonia want to prepare for five more historians, we have to obtain an "O.K." from Moscow. It's clear that nowadays we can no longer adhere to such a procedure—practical life dictates other solutions. Consequently, we are compelled to violate the law, but—a priori—the law requires that respect be shown for it. Otherwise, chaos and confusion arise. The only way out of this impasse is to improve the legislation.

[Tretyakova] The draft which has been proposed for discussion accords a great deal of attention, in my opinion, to administrative matters. The interrelations between educational institutions, particularly schools, and the leading organs are excessively regulated....

[Loik] It doesn't seem so to me. On the contrary, we have attempted to make sure that the formulas employed, albeit precise enough, are not too rigid and that they allow flexibility: this law is to be adopted by the highest organ of state power not just for one year. That is to say, we have attempted to establish merely the fundamental principles and necessary guarantees. For example, at what age general education begins, and how many years it continues. Less important factors can be regulated at another level. Which specific level—the Council of Ministers, our ministry, or the municipal organs—is also reflected in the text of the basic law. That may be why it seems overloaded with matters of subordination of certain educational institutions.... Social changes these days are proceeding at a very rapid pace, and it is a complicated business to keep up with them. I cannot guarantee that the draft which has now been worked out has been so perfected that it will not suffer the same fate as its predecessor, i.e., become obsolete within a few years. But

it does contain less politics and more solutions to specific problems. In particular, it reflects the basic rights of an educational institution, including the general-educational school....

[Tretyakova] But what about a teacher's right to creativity?

[Loik] There is no such formulation directly in the law, but it seems to me that the prerequisites for this possibility are contained therein. Why is the field of education in such a difficult position nowadays? From my point of view, there are two principal reasons for this state of affairs. In the first place, a very clear, precise determination. For decades rigid curricula, standardized and identical for every nook and cranny of the Soviet Union, were adopted at the Moscow level. And the teacher was assigned the role of a tool or instrument with a given program: he was told what to teach, how much, and how it should be done. There was, furthermore, the bondage of evaluations to be made, and a mania for percentages. The possibility of taking a creative approach came to zero. In the second place, the salary mechanism placed the teacher in an unsuitable position (for example, last year in Estonia a teacher's salary for his basic work came to 168 rubles a month, as compared to an average salary of 240 rubles for the republic as a whole. These two factors have also brought about a situation whereby nowadays there are very few teachers who want to or are able to think. It's quite clear what way out of this situation we should seek. We need to return to the teacher a fitting and proper place in society. Of course, our poor material and financial base is a hindrance. We have no variations in our curricula, as they do in the developed countries, nor do we have alternative textbooks. Moreover, the ones that we do have are too few in number. We still cannot even ensure that every child will have a complete set of his own. And do this is our Number One task. Furthermore, we should offer a choice to provide alternative textbooks for all subjects in accordance with the new curricula. A draft program for a 12-year course of instruction in the Russian schools is already in existence. As to whether an 11- or a 12-year program of operation is adopted—that's up to the school itself to decide; the ministry does not intend to exert any pressure regarding this matter. But we must ensure a choice and provide the methodological groundwork. And these are also very serious problems: we need new curricula, textbooks, and finally—additional space.... At present the Russian schools are more and more inclined to the opinion that instruction should be for 12 years. Then they could seriously study this republic's economy and history, as well as its culture and language.

[Tretyakova] By the way, about language. Since the very time when the law regarding it was adopted, this has been vitally the sorest issue for the Russian-language community. The draft now proposed for discussion contains no guarantees at all that the teaching of Estonian in the schools using other languages will be reliably monitored by the state.

[Loik] This is mentioned in the Law on Language. The Draft Law on Education indicates merely the necessity for studying Estonian in cooperative and private schools. Furthermore, the Ministry of Education does have jurisdiction over the approval of standards regarding knowledge, that is, the minimum skills which a graduate of an elementary or secondary school must possess.... These are now being worked out. Obviously, among other things, there must also be precisely formulated requirements for a knowledge of Estonian. Let's say, for a graduate of the primary stage these requirements should be such that he could enroll in a specialized, secondary educational institution where Estonian is the language of instruction.

[Tretyakova] Fine, if the children were to have such a knowledge of the language. But, so far, not even all the schools have been provided with any teachers of Estonian, not to mention the quality of instruction.

[Loik] Yes, that's true, although we are applying great efforts to rectify the situation. But this cannot be accomplished in the space of just one year. According to our calculations, the need for Estonian-language teachers will be fully satisfied by the year 1995, which will mark the graduation of the group admitted in 1989 to the Tallinn Pedagogical Institute and to Tartu University.

[Tretyakova] That's on condition that the curriculum of these schools remains the same as before—an average of two hours of Estonian-language instruction per week?

[Loik] Yes.

[Tretyakov] But practical experience has already proved that this number of hours is not enough to learn a language. And what will happen to those children for whom the state generally and essentially has not offered such a possibility? Where can they continue their studies and acquire an occupation or profession?

[Loik] Groups are still being maintained with Russian as the language of instruction in VUZ's, tehnikums, and the PTU's [vocational-technical schools]. Furthermore, we are sending an average of 200 persons a year (two-thirds of all students belonging to non-indigenous nationalities) to study in cities of the Soviet Union; and we intend to continue this practice. Students from Estonia have advantages as compared to others: their stipends and other payments have been increased. To be specific, allowances for children have grown from 200 to 600 rubles.

[Tretyakova] Let's get back to a discussion of the Draft. The previous education law guaranteed graduates of VUZ's and tehnikums job placement after graduation. Of course, this was a double-edged sword: on the one hand, there was no threat of unemployment; but, on the other hand, this was a kind of serfdom—you had to go where you were sent. The Draft Law passed over this problem in complete silence.



[Loik] Yes, indeed, there will be no assignment or directing persons to work. We're convinced that here, as everywhere else, economic levers should operate. At present, in accordance with the Union norms, 74 percent of all students are provided with stipends by the state. In the future, such a method of financing studies will be available only to those specialists in whom the state has a vital interest and whose training cannot be paid for by the particular economic sector itself—schoolteachers, for example. The remainder will study at the expense of enterprises which are in need of personnel. Naturally, having invested their money, such an enterprise may require that the trained specialist come to work for them or for their organization. A system of credit is also being provided, for example, to gain admission to an arts institute. But the state is able to grant a stipend, let's say, to only three students. If the talented aspirants exceed that number, and the VUZ is capable of enrolling them, the state will grant credit, i.e., a loan, so that later the artists can either pay back this money on his own, or find an organization which needs his services and agrees to pay back the debt. With such a mechanism in place, the need to "assign" persons will simply disappear.

[Tretyakova] Along with state-run educational institutions, the founding of cooperative and private ones is being encouraged. But will they have to obtain licenses from the Ministry of Education?

[Loik] This is necessary in order to ensure the qualitative level of instruction: their graduates must have the knowledge and skills, in any case, at least no lower than those from the state-run institutions.

[Tretyakova] But what about the financial interrelations?

[Loik] Obviously, that minimum amount which the state-run institutions have will also be received by the private ones. Everything above this amount will be at the parents' expense. Nowadays there is already an operational model—it is the House of Music in the Old City. The teachers there have the normative salary rates from the state and the students or pupils pay the remainder. Both parties are satisfied.

[Tretyakova] Yes, I'm somewhat familiar with that school. Every mother dreams about such a school. But as to attracting parents' money in order to enhance the quality of instruction, even in the ordinary general-education schools people attempt to do something, and frequently stumble...over the lack of their own bookkeeper. The centralized procedure is so complicated that, at times, it is easier to abandon everything rather than find an enthusiast who is prepared to sacrifice himself to endless running back and forth with all manner of receipts.

[Loik] I know that. The present-day system of bookkeeping is insanely complicated and, moreover, is inefficient. The former owner of the Kuldnok Cafe told me that he used to have only three employees, but every evening he would know exactly how that day had gone:

there was either a profit or a loss. With the enormous number of accounts, the economic effect of a certain activity can only be revealed in the middle of the following month. Nowadays in Estonia a new system of bookkeeping is being worked out; everything is being simplified considerably. Then, in my opinion, each school will be able to have its own bookkeeper.

[Tretyakova] One last question, one which does not pertain directly to the Draft Law, but which is connected with the most important, to my way of thinking, and neglected link in education—the primary school. To this day, grades have been functioning in a parallel fashion for six-year olds (with a four-year cycle) and seven-year olds (with a three-year cycle). But how will these things be handled now?

[Loik] If a school has maintained the necessary sets of textbooks (new ones are no longer being published), and the microrayon has many seven-year old children who have not yet begun school, perhaps, by way of an exception a grade for seven-year olds could be opened. But, in general, all children will now spend at least four years in primary school. Why at least? Specialists in psychology consider that children are harmed by abrupt changes of environment. Subject-oriented teachers should be blended in gradually, and the teacher to whom the children are accustomed should remain with them for six years, for example, to teach the native language. By way of an experiment, certain Estonia schools are already testing a six-year school at the first stage. On the whole, the field of education is becoming more flexible, more open to all possible innovations, and this is certainly good.

### **Obstacles to Regulating Orthodox-Catholic Conflict Viewed**

90UN14243 Kiev *SILSKI VISTI* in Ukrainian  
Mar 30 90 p 3

[Article by P. Yurchenko: "Act Wisely, Responsibly"]

[Text] On March 13, 1990 in Lviv, the first stage of a commission's work in regulating the religious situation in western Ukraine was completed. A commission presided over a four-party joint meeting for normalizing relations between the Orthodox Church and the Greek Catholic Church in which the Vatican was represented by Archbishop Yaroslav-Stefan Marusyn and the Secretary of the Congregation of Eastern Churches and the Metropolitan of Philadelphia, Stepan Sulyk; the Moscow Patriarchate was represented by Metropolitan of Voronezh and Lypetsky, Mefody and the Archbishop of Khmelnytsky and Kamianets-Podilsky, Feodosy; the Ukrainian Orthodox Church was represented by the Archbishop of Lviv and Drohobych, Iryney; the Greek Catholic community was represented by Archbishop Volodymyr Sterniuk and Bishop Sofron Dmyterko.

As noted in a statement, after the four-party commission completed the negotiations' first round, at the meeting plans were made and a joint address was accepted for



believers in Ukraine's western oblasts. It was emphasized: "In accordance with the agreement reached by His Holiness, Pope Paul II and the Chairman of the USSR Supreme Soviet, Mikhail Gorbachev, the position of the church in western Ukraine should be regularized by both churches' representatives. Only after this occurs can administrative organs register communities as Greek Catholic."

In its work, as noted in this statement, the commission followed these recommendations, which both churches' delegations accepted. The commission called on each of the parties to restrain from acts, which could complicate the inter-religious situation, especially acts accompanied with violence; and not to use expressions which could affront representatives of one or another faith; not to disseminate animosity or misunderstanding; not to interfere in political affairs; not to conduct public protests, and also not to resort to pressure tactics, which could become an obstacle in the commission's normal operation.

While completing its first meeting, the commission declared that this is only the beginning of the process of regulating relations between Orthodox and Greek Catholic believers in western Ukraine. After this [initial stage of work] the representatives of both churches shall move on to examine [other] unresolved issues. In regard to this [latter point], the commission entrusted representatives of the Ukrainian Orthodox Church and the Greek Catholic communities to prepare needed materials for the next meeting.

In order to avoid misunderstandings and disputes, the commission has obliged believers, who have tenuous claims to cultic properties, to submit their proposals in writing to their governing bishop and await a decision. In order to resolve disputed issues, the members of the commission acting in the authority of their churches are obliged to rule out any chance whatsoever of violent church seizures.

The commission has turned to organizations uninvolved with churches with requests to not interfere in ecclesiastical affairs.

The representative of the Vatican, Archbishop Marusyn, and the representative of the Moscow Patriarchate, Metropolitan of Voronezky and Lypetsky, Mefody signed the summary communique.

Immediately after the negotiations concluded, the eminent representatives of the Moscow Patriarchate and the Vatican in an interview for the Ukrainian press and television stated that they were completely satisfied with the results of the commission's first stage of work; and they observed that further negotiations should be conducted on the already mutually worked out platform, in the spirit of those recommendations, which were accepted by the commission's four-party delegations.

In the notification from Rome, the representative of the Vatican stated that "the Holy See is satisfied with the results of the commission's work".

Unfortunately, this important commission's work did not occur without its share of complications. In spite of eminent parties' proposals not to submit to pressure from public meetings, in Lviv the work of the commission was in fact accompanied by public meetings, the public demonstrations of supporters from one or another church, which, naturally, interfered with the negotiations' normal course. As is often the case in such incidents, the people's demands, who were at the public meetings, were far from serious, thoughtful, or diplomatic. Ultimatums, threats of announcing fasts—these are all devices which are hardly appropriate for achieving reasonable and fair results. Perhaps it did not agree with someone, just such an approach of the interested parties, at a time when contested issues are decided, not by means of shouts of an electrified crowd, not by storming into church properties, but rather seriously, thoughtfully, behind a negotiation table. It was a mystery to no one that the commission was inclined to resolve situations of conflict diplomatically, not submitting to the pressure of powers uninvolved with the church. Is it not here, that there lies a hidden reason for why a desire arose in some people to disseminate distrust in the commission, why rumors flew about lack of preparation, and even the inability of the commission to resolve problems which took shape? That the St. George Cathedral, that other churches must be seized independently?

The process itself of negotiations did not pass without excesses. According to agreement, the participants of the negotiations should have composed and signed protocols, in which the commission's decisions would be fixed regarding every substantial point of dispute between the Orthodox Church and the Greek Catholic Church. The commission prepared seven such protocols, of which five were signed by all the participants of the negotiations, but [only] the representatives of the Rus [the Ukrainian and Russian] Orthodox Churches, the Vatican, and also the Greek Catholic bishop Dmyterko signed the remaining two protocols. Archbishop V. Sterniuk did not sign the latter two protocols and left the negotiations. Whether this step was planned far in advance or whether it happened spontaneously—one can only guess. In any event this left a bad impression on the negotiation's participants. All the moreso, since this step was followed by more.

After a few days Archbishop Sterniuk and several other Greek Catholic bishops made a declaration, which in fact negated the four-party commission's concept of working mutually together. This declaration rejects the Holy See and the Moscow Patriarchate's recommendations about how to conduct negotiations; it does not accept the agreed on framework of working, and it suggests that all the signed documents shall thereafter be regarded as invalid.

Before the negotiations began, the parties agreed to acknowledge the authority of the four-party commission and—by the same token—the authority of its approved decisions, whether anyone would like them or not. The signature of V. Sterniuk is in five protocols; S. Dmyterko's signature is in all the protocols. But now both of them have signed a declaration, which, essentially, contradicts their signatures. So why believe them?

The Greek Catholic bishops in their declaration, essentially, refused to take part in the four-party commission and further negotiations; but instead they put forward demands: the immediate return of all Greek Catholic churches, and the execution of a whole series of other points within this declaration—from an admission that the decrees passed by the Lviv synod concerning the Greek Catholic Church in 1946 are invalid, to the proclamation of a Greek Catholic Patriarchate in Ukraine. Only after the Greek Catholic bishops' demands are accepted, shall they, according to their statement, agree to go "to negotiations with state organs."

Perhaps, it is not worth while to make a general evaluation of the Greek Catholic bishops' statements as a kind of 'protest', 'obstruction', or the like. From this [kind of evaluation], the issue of regulating the religious situation in western Ukraine shall not advance; and the realization of believers' expectations—both Greek Catholic and Orthodox—shall, categorically, not move forward an iota so that they can satisfy their religious needs, freely and calmly, in peace and concord, on the basis of lawful and fair principles.

It is better to look at the issue from the position of common sense, taking into account today's inter-ecclesiastical conditions in Lviv, Ivano-Frankivsk and some other oblasts. No church in the region has stopped its activity. Some Orthodox believers have crossed over to the Greek Catholic community, and some desire to even now continue to satisfy their [spiritual] needs in Orthodox churches. Along with the communities, some of the clergy announced they are supporters of the Ukrainian Autocephalus Orthodox Church. This too is a reality, to which one should pay attention. Thus we have faithful believers from three denominations, who desire to have their own cultic properties. And they all declare that only they or their ancestors built a church, one over which now a conflict has arisen. They are all right. But there is only one church. And a decision has to be made, which shall satisfy all the parties' religious interests. The people's wisdom is needed.

A process of original, religious re-identification is now taking place. Each person has the right to keep a certain religious orientation, to choose this or that faith, or to have a scientific-materialistic world-view and thus meet spiritual needs on the basis of voluntary choice. This is an incontestable right fixed in the Declaration of Human Rights, confirmed in the summary document of the Vienna Council of Nations—a participant in the Helsinki Accords. So can we today, if we want to live in a civilized way in a lawful nation, ignore the religious

choice of believers from any given denomination or group, depriving them of the possibility of having their own church?

The irrevocable tone of the demands to immediately return all the cultic properties to one denomination, a demand the Greek Catholic Church has based on its birthright [ownership of churches prior to 1946] and the state of affairs as they existed fifty years ago, attests, to put it lightly, to a desire of not wanting to see the facts, to take things seriously.

And the state of affairs is such that besides the existing tension between Orthodox and Greek Catholic believers, which many a time has already turned into inter-ecclesiastical quarrels and skirmishes between the faithful, one more knot of sharp contradictions is forming in this picture: the sudden appearance of communities of faithful, who identify themselves with the Ukrainian Autocephalus Orthodox Church. And to untie this knot is hardly possible, if one follows the militant slogan of the so-called Committee in Defense of the UKTs [Ukrainian Catholic Church]: "Orthodox believers—get out [of West Ukraine] past the Zbruch [river]!" But the Zbruch—this is not the biblical Jordan, but a territory, which lies west of Zbruch; this is a land, not only promised to the Greek Catholic believers. And, incontestably, the four-party commission had a point, when it turned to uninvolved church organizations, telling them not to get involved in church affairs.

In a word, the actual situation, demands the parties drawn into in the inter-ecclesiastical conflict, having abandoned the principles of good will, now show some reserve and common sense. Any type of demands of the sort "return everything to us", besides ignoring the same rights of the other side and fuelling inter-denominational passions, shall not result in anything. Precisely this was taken into account by the commission, calling each party to restrain itself from actions, which could complicate the religious situation.

Ambitions and emotions shall not help the affair; on the contrary—they shall hinder it. Angry, incensed words addressed to one of the parties, proclaimed at a press conference or in an episcopal statement, from a parliamentary tribunal or in the columns of an ecclesiastical or secular newspaper, from a television screen or in a church sermon, shall engender new suspicion, increase hatred among believers of various denominations.

In the rebuilding period, none of us—believers or non-believers—need inter-denominational battles, which always, as ancient and modern, contemporary history attests, have grown into national conflicts, civil wars. One need only mention Lebanon, Ulster, and scores of other hot-spots with inter-denominational stand-offs one finds in the larger picture of sharp social-political contradictions.

While denying the inter-ecclesiastical mechanism for the resolution of denominational problems, the Greek Catholic bishops categorically demand to satisfy their previous

demands (the return of the St. George Cathedral, other former Greek Catholic churches, the rehabilitation of former hierarchs of their church, the recognition of the non-canonicity of Lviv synod in 1946 and an alteration of its decrees), as a basis to thereafter carry on negotiations with state organs.

Is it expedient or lawful for inter-ecclesiastical issues to be decided by state powers, included in two-way (only with Greek Catholic believers) or even many-sided (in essence, five-way) negotiations? In our land the church is separated from the nation. And this principle to the highest degree conforms to those of a democracy and civilization. Whenever state officials interfere in ecclesiastical affairs—directly or indirectly, history has left us and today leaves us with woeful memories. In the given instance it suffices to mention the years of the Brest

(1596) and Lviv (1946) synods, after which the inter-ecclesiastical state of affairs did not improve, but rather the knot of inter-denominational conflicts became tied even tighter.

The interested denominations' representatives should regulate the religious situation in western Ukraine. This principle, worked out by the higher church councils and agreed on by the four-party commission, it seems, in the best possible way corresponds to present day demands. Soviet authority, its local organs shall, certainly, help the commission in its work. We support the principle of an individual's right to independently choose his way in the spiritual sphere, one of a freedom of conscience and a choice of faith. All churches should have a possibility to act freely within the law's framework, contributing their fair share to a mutual understanding among people. Thus in this affair it is necessary for everyone to act wisely and responsibly.

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